

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, April 4, 2005

7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, April 4, 2005, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio.

With President of Council, Mr. Duane Scott, presiding, the meeting was called to order at 7:30 p.m.

Mr. Scott led the Pledge of Allegiance.

The following members were present and responded to roll call: Mr. Robert Gray, Mr. Duane Scott, Mrs. Carol Steiner, Mr. Bernie Hovey, Mr. William Church, and Mrs. Karen Fuller.

Roll call of Council – 6 members present 1 member absent

Mr. Gray made a motion to excuse Mr. Jack Ingram from this evening's Council meeting, seconded by Mr. Church, and all of Council agreed.

Mr. Scott asked if there were any additions or corrections to the minutes of the March 21, 2005, Council meeting.

There being no corrections, the minutes were approved as sent out.

Mayor Mendenhall presented a proclamation to Mr. James Ginn for his many years of dedicated service to the Planning and Zoning Commission.

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

RESOLUTION NO.: 44-2005 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BUCKEYE SWEEPING, INC. FOR STREET SWEEPING SERVICES FOR THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Mr. Scott assigned Resolution No.: 44-2005 to the Finance and Appropriations Committee.

RESOLUTION NO.: 45-2005 A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO PAY TO THE CITY OF CUYAHOGA FALLS, SILVER LAKE'S PROPORTIONATE SHARE OF THE 2004 OPERATING DEFICIT OF THE CUYAHOGA FALLS MUNICIPAL COURT, AND DECLARING AN EMERGENCY.

Mr. Scott assigned Resolution No.: 45-2005 to the Finance and Appropriations Committee.

RESOLUTION NO.: 46-2005 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS, AND DECLARING AN EMERGENCY. \$ 149,692.43

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Mr. Scott assigned Resolution No.: 46-2005 to the Finance and Appropriations Committee.

Mr. Scott asked for the reading of any legislation that is up for a second reading.

ORDINANCE NO.: 39-2005 AN ORDINANCE AMENDING SECTION 943.04 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE VILLAGE OF SILVER LAKE, OHIO, HEREBY ESTABLISHING A NEW STORMWATER USER FEE TO BE LEVIED UPON EACH RESIDENTIAL DEVELOPED LOT, PARCEL OF LAND, BUILDING OR PREMISES WITHIN THE CORPORATE LIMITS OF THE VILLAGE, AND DECLARING AN EMERGENCY.

Ordinance No.: 39-2005 was previously assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 40-2005 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, 2005, AND DECLARING AN EMERGENCY.

Resolution No.: 40-2005 was previously assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 43-2005 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A VIDEO CAMERA IN ACCORDANCE WITH STATE CONTRACT #778845A FOR USE IN A CRUISER OPERATED BY THE VILLAGE OF SILVER LAKE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

Resolution No.: 43-2005 was previously assigned to the Finance and Appropriations Committee.

Mr. Scott asked if there were any questions from the audience regarding pending legislation.

There being no questions, Mr. Scott continued with the agenda.

REPORTS OF COUNCIL STANDING COMMITTEES

Finance and Appropriations Committee – Mr. William Church, Vice-Chairman

Mr. Church stated Resolution No.: 44-2005 was discussed in committee earlier this evening and is ready for adoption.

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Mr. Church made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 44-2005, seconded by Mr. Gray.

Roll call on suspension: Yes 6 No 0

Motion to adopt by Mr. Church, seconded by Mr. Hovey.

Roll call on adoption: Yes 6 No 0

Mr. Church stated Resolution No.: 45-2005 was discussed in committee earlier this evening and is ready for adoption.

Mr. Church made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 44-2005, seconded by Mrs. Steiner.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Church stated Resolution No.: 46-2005 was discussed in committee earlier this evening and is ready for adoption.

Mr. Church made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 46-2005, seconded by Mr. Gray.

Roll call on suspension: Yes 6 No 0

Motion to adopt by Mr. Church, seconded by Mr. Hovey.

Roll call on adoption: Yes 6 No 0

Mr. Church stated Resolution No.: 40-2005 was discussed in committee earlier this evening and is ready for adoption.

Mr. Church made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 40-2005, seconded by Mrs. Steiner.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Church stated Ordinance No.: 39-2005 and Resolution No.: 43-2005 will be treated as second readings.

MAYOR'S REPORT

Mayor Mendenhall stated there is no market for the electric aggregation for the year 2006. This does not mean that the Village loses its official status as an aggregating entity; however, it does mean that all Village residents will return to "rate class for residential" as established by First Energy starting in January 2006.

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Wisconsin Public Service has expressed some interest in perhaps being a competitor in 2007.

The Mayor stated there are three public education meetings scheduled to discuss the levy issue. The first meeting is on Friday, April 8, 2005, at 9:00 a.m. at the Lubinski residence. The second meeting is on Friday, April 15, 2005, at 9:00 a.m. at the Taylor residence. The third meeting is on Thursday, April 21, 2005, at 9:00 a.m. at the Ratcliff residence.

Solicitor Bob Heydorn had no report.

Chief Gary DeMoss reported that the Police Department is going to be part of a recognition program on Thursday, April 7, 2005, at the Akron Public Library at 9:00 a.m. The Police Department has been nominated to receive two AEDs for their involvement with the Mulrooney family.

Council has received a picture of all the Silver Lake police officers that was taken in May 2001.

Service Director Mr. Richard Fenwick stated that Spring Clean-up started today.

Opening bids for the Silverview Drive Storm Sewer Project and the Lodge Drive Waterline Project will be on Thursday, April 7, 2005, at 12:00 p.m.

Clerk-Treasurer Mrs. Teresa Spohn reported on the health insurance issue. Due to the 20.8 percent increase, the Village has received quotes from other companies. No decision has been made yet.

Mr. Scott asked if there were any questions from the audience.

Mrs. Laura Perry, 3097 Endicott Way, stated she is concerned about the levy and asked how Council plans to support the issue.

Mr. Scott stated that legislation will be written supporting the levy for Council to vote on at the next meeting.

Mrs. Therese Dunphy, 2849 Lee Road, encouraged Council's support for the school levy.

Mrs. Ann Ratcliff, 2946 Silver Lake Boulevard, stated that Silver Lake Elementary school is a fabric of the community. Without the school, we have nothing. In addition to supporting the levy, Council should find ways to protect the school. There are variables that are out of control that we need to take control of and come up with ways to protect the school.

Mr. Don Dieterich, 2998 Oakridge Drive, stated he is concerned with the suggestions for charter changes, particularly on the subject of clerk-treasurer. The whole theory of the set up of

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the charter at the beginning was to build a set of checks and balances, primarily because we have not only a part-time Mayor, but a Council that is not here eight hours a day.

Mr. Dieterich stated the position of clerk-treasurer is at a level of which day-to-day hourly supervision should not be necessary or the person should not be in the job. The position is one of implementing policy from the Council then to the Administration that they formerly agree on and sees no reason to change the situation as it is today and thinks it would be counter productive to do that.

Mr. Scott welcomed former Mayor Ann Thudium to tonight's Council meeting.

Mrs. Thudium thanked Mr. Scott and stated this was the first time she has been back to Council since leaving office in 1999.

Mrs. Thudium referenced her comments to the proposed charter changes.

Mrs. Thudium thinks most people that would be elected Mayor would not be qualified to oversee the treasurer's responsibilities.

Mrs. Thudium went on to say appointing an audit committee would place qualified people in an advisory capacity to report to Council their findings, she has no doubt that there will always be people with a financial background who would be willing to volunteer their time to such a committee.

Mrs. Thudium stated present personalities should not be considered when making charter changes.

Mrs. Thudium said there is also the financial issue. If the changes were made, it would necessitate hiring a part-time council clerk. With the added responsibilities of the Mayor, that could almost be, or have to be, a full-time position. That would require additional money to the Mayor and she is already concerned about the number of positions that have been added, and thinks the personnel costs are high as it is.

Mrs. Thudium thinks Council needs to be very aware of the responsibility they have on placing anything on the ballot for a charter change. Almost invariably, people vote in favor on what Council has placed on the ballot. It is a big responsibility when you put it on the ballot because you can almost guarantee it will get adopted. She could not remember a charter change ever being voted down.

Mrs. Thudium concluded by saying as for the other charter change five years ago (which removed the Mayor as President of Council) she really had no objection to the President of Council being a member of Council and not the Mayor. As far as she can see, it has worked out

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very well and does not see any point in putting it on the ballot to change it back to the way it was before.

There being no further questions from the audience, Mr. Church made a motion to adjourn into Executive Session to discuss personnel issues, seconded by Mrs. Steiner.

Roll call on Executive Session: Yes 6 No 0

Council adjourned into Executive Session at 7:58 p.m.

Executive Session adjourned and Council adjourned at 8:23 p.m., until the next Council meeting on Monday, April 18, 2005, at 7:30 p.m.

APPROVED:

Duane N. Scott, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer