

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, July 5, 2016

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Tuesday, July 5, 2016, 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. Karen Fuller, Mr. Christopher Scott, Mrs. Betsy Meyer, Mr. Gerald Jones, Mr. William Church, Mr. Matthew Plesich

Roll call of Council - 6 members present

Absent - Mrs. Carol Steiner

Mrs. Fuller moved to excuse the absence of Mrs. Steiner, seconded by Mrs. Meyer. All members of Council signified their approval by saying aye.

Mr. Jones asked if there were any additions or corrections to the minutes of the June 20, 2016, regular Council Meeting.

Mr. Plesich said on Page 17, under Miscellaneous Business, *Police* Chief needs to be corrected to *Fire* Chief.

There being no further additions or corrections, the minutes were then approved as amended.

Mr. Jones asked Mr. Sean Housley, Clerk-Treasurer, for the reading of any pending legislation that is up for first reading.

RESOLUTION NO.: 51-2016 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS TOTALING \$209,071.57.

Mr. Jones assigned Resolution No.: 51-2016 to the Finance & Appropriation Committee.

RESOLUTION NO.: 52-2016 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A HANDHELD DATA COLLECTOR FROM NEPTUNE EQUIPMENT COMPANY FOR WATER METER READINGS IN THE VILLAGE OF SILVER LAKE, OHIO, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 52 -2016 to the Finance & Appropriation Committee.

RESOLUTION NO.: 53-2016 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GBC DESIGN, INC. TO PROVIDE

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ENGINEERING SERVICES FOR STORM PIPE IMPROVEMENT AT 2981 & 2987 SILVER LAKE BOULEVARD IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 53-2016 to the Finance & Appropriation Committee.

ORDINANCE NO.: 54-2016 AN ORDINANCE AMENDING SECTION 937.01(b) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE, OHIO, TO ESTABLISH NEW DUE DATES FOR UTILITY BILLS, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Ordinance No.: 54 -2016 to the Finance & Appropriation Committee.

ORDINANCE NO.: 55-2016 AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2016, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Ordinance No.: 55 -2016 to the Finance & Appropriation Committee.

Second reading: None

Third reading: None

Comments from the audience: None

FINANCE AND APPROPRIATIONS COMMITTEE – MR. CHRISTOPHER SCOTT

RESOLUTION NO.: 51-2016

Mr. Scott asked if there were any questions on any of these payments.

Mrs. Meyer asked if a vest carrier was for a bulletproof vest. Chief said that is correct.

Mrs. Meyer asked what happened to the cameras that had to be repaired. Chief said they are mounted on the front glass and came off. Mr. Scott asked if we are having issues with these cameras already, as this is a new system. Chief Conley said we are having an issue with one. We did not purchase the extended warranty, which was about \$10,000. The cost to repair one unit can be \$5,000 - \$6,000, and we only bought four units.

There being no further comments or questions, Mr. Scott said this Resolution would be brought out for adoption this evening.

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RESOLUTION NO.: 52-2016

Mr. Scott said this hand held unit was not part of our original plan.

Mr. Lipan said this was overlooked when we bought the system, and we knew we would have to eventually get it. We currently have one on loan. We use the hand held unit when we install meters to make sure everything is hooked up right and we are getting a signal. Mr. Scott asked if we only use the unit when we are doing installations. Mr. Lipan said it can also be used in an emergency if things go down, it can be used as a drive-by, and we can use it for troubleshooting a meter that isn't reading right.

Mr. Church said it would not behoove us to continually borrow one or rent one. We need to have one on site. Mr. Lipan said NECO will take theirs back after the installation process, and we have been having trouble with their unit anyway, as it is an old model.

Mrs. Fuller asked if once all meters are installed we will have a need of it unless it's as a backup.

Mr. Lipan said we would need it if we install a meter or to troubleshoot why we are not picking up a signal.

Mr. Jones asked if we can find the Trimble Nomad and charging cradle somewhere else and still buy the other pieces from them. Mr. Jones said he went online and found the Nomad 900B for \$1,262.00 and the charging cradle for \$159.00. Several sites popped up on a Google search, including Amazon. Mr. Jones asked if there is any reason why we couldn't save ourselves about \$1,500.00 - \$1,600.00.

Mr. Lipan said he doesn't see why not. He will ask the company, but the unit would have to be loaded with the software. Mr. Lipan will investigate Amazon and Bonanza for purchase of these items.

Mr. Scott said this Resolution would be held on first reading.

RESOLUTION NO.: 53-2016

Mr. Lipan explained this is between the Wolf residence and Oldham residence. We budgeted \$10,000 for this.

Mr. Scott asked if the engineers have given us any idea of how long it would take to do this. Mr. Lipan said he hoped to get it done later this year. The engineer has the plans done, and he is working on the estimate and bid package.

There being no further comments or questions, Mr. Scott said this Resolution would be brought out for adoption this evening.

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ORDINANCE NO.; 54-2016

Mr. Housley explained currently with our new meter program, by the time we reconcile and complete the billing process, we could be six days into the month. Residents are often not receiving bills until the 8th or 10th of the month. According to our codified ordinances, the bills are due the 10th of the month. Late fees do not accrue until the 15th of the month, however. He is asking Council for an extra 10 days for payment (20th – 25th). It will not have an impact on our revenue stream, as monies will be collected by month-end anyway.

There being no further comments or questions, Mr. Scott said this Ordinance would be brought out for adoption this evening.

ORDINANCE NO.; 55-2016

Mr. Housley said we collected more this year than in the past for the Park Board Memorial Fund, which they want to spend on flowers, so he needs to increase the appropriation so they can spend those monies.

An additional appropriation is requested for Cementech, which was approved last meeting.

Some extra is needed for water/sewer overtime. Reconciliations must be done each month for the 100 or so new meters that are being installed. This has required some office staff to work evenings and on Saturdays to get the billings out.

Mr. Scott asked if this Ordinance could be delayed, due to the fact that Mr. Lipan will be looking at alternatives for the handheld data collector, and \$6,100 may not be needed.

Mr. Housley said he would not need these appropriations before month-end closing, so Council could delay until the next meeting.

Mrs. Fuller questioned whether Park Board Memorial Fund donations could be spent on flowers, as she thought they were designated donations for a trees or benches. Mr. Lipan said the policy was changed and brought to Council. It does not have to be for a specific item. This donation is Garden Club's flower money, and we are now paying the bill with this money. However, people can earmark donations for a specific items.

There being no further comments or questions, Mr. Scott said this Ordinance would be held for second reading.

Finance and Appropriations Committee – Mr. Scott

Mr. Scott stated **Resolution No.: 51-2016** was discussed in Committee and is ready for adoption.

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

Roll call on adoption: Yes 5 No 0 Abstain 1 (Plesich)

Mr. Scott stated **Resolution No.: 52-2016** was held for second reading.

Mr. Scott stated **Resolution No.: 53-2016** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mr. Scott, seconded by Mr. Plesich

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 **Ordinance No.: 54-2016** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mr. Scott, 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 **Ordinance No.: 55-2016** was held for second reading.

Statement of Cash Position

Mr. Housley said we are caught up with our reconciliations through May 31, 2016. We are a little under the 50% mark on appropriations. We are \$60,000 over where we were last year at this time for income tax collections.

Mr. Scott moved to accept the **Statement of Cash Position of June 30, 2016**, seconded by Mrs. Fuller. All members of Council signified their approval by saying aye.

Reports of Village Officials

Mayor Hovey reported after discussions with Mayors of Cuyahoga Falls and Tallmadge and Western Reserve Hospital, we decided it is good for the Village to join the Envelope for Life Program. There is a form where residents will fill out their medical history and medications. The red envelope goes on their refrigerator and a tag goes on their door. In case they have an emergency call, the paramedics know to look for that envelope and they can read the medical history. Better, more efficient, safer service can be provided. These envelopes were printed up at the expense of Western Reserve Hospital. There is zero cost to the Village, and it is voluntary for the residents. Envelopes can be picked up at Village Hall or delivered to those who request it.

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Mayor reminded everyone the Silver Lake Festival will be July 16, 2016, and we are still looking for volunteers in the food tent for the afternoon.

Mr. Robert Heydorn, Village Solicitor, reported the Supreme Court recently addressed whether or not you are conducting an open meeting if you converse by email. It is an important decision for all municipalities, and he will report on it at the next meeting.

Chief John Conley reported he received some information that some of the communities to the East of us have had a rash of thefts from unlocked buildings on residential property. Chain saws, weed trimmers, and electric equipment has been stolen, numbering almost 50 items in June. This has not occurred in Silver Lake at this time, but was passed on from surrounding communities, including Portage County and Tallmadge. In the past month we have left a lot of courtesy notices for residents who have left their garage doors open. We remind people to lock their car doors also.

This Thursday we are going to have Narcan training provided by Cuyahoga Falls Fire Department for all of our officers. I know we passed the Narcan policy, but none of us were certified to administer it until after this training.

Mr. Mark Lipan, Service Director, reported paving will start tomorrow by grinding and putting the leveling coat on. They will come back the week of July 18th to finish.

We have a little over 700 water meters installed.

Cuyahoga Falls will probably be striping Dover Road next week.

Mr. Plesich said Cuyahoga Falls paved their section of Vincent Road, but did not pave by the machine shop. He wanted to confirm that section was Cuyahoga Falls and not Silver Lake.

Mr. Lipan confirmed it is Cuyahoga Falls and they did not pave that section.

Mr. Sean Housley, Clerk-Treasurer, reminded everyone this year we are involved with the income tax subpoena program. They will be here in November,

Mr. Housley was at a weeklong training seminar June 13-17, 2016. He participated in Sunshine Law training, and obtained the necessary credit hours for all elected officials for the Village. All Council members were registered, and the certification is good for the length of each term. During that training week he had the interest rate on our debt evaluated. The conclusion reached was that currently we don't have enough debt to make up for what it would cost to refinance.

Summit County sewage treatment costs are coming in higher than budgeted. Rates were raised 20%. We might have to consider a sewer rate increase next year. In addition, there are still some contested charges.

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Lastly, I want to give credit to all the ladies in the office. When I was gone for a week, there was a large packet they pulled together for Council. All of them are doing a great job in that office.

Mr. Scott asked, if the sewer charge is up, do you think we are putting more water down the system on top of their rate increase?

Mr. Housley said he had not looked at that to make that determination.

Miscellaneous Business

Mr. Jones said Council had before them a letter for a moral claim from Mr. Bowers, 2817 S. Park Drive, asking for compensation for \$7,795. I went through the letter and bills and I don't see how we can determine that what they allege is our responsibility.

Mayor said one thing they allege is there was an obstruction in the street and that caused the problem. Mr. Lipan said he checked and there was no obstruction. When they called, the first thing we checked was if it was flowing, and water was flowing fine. Mr. Lipan took pictures. The clog was behind the sidewalk. The Village takes responsibility for the sewer from the curb to the main. The work done was nowhere near that. They said it was the tree that caused the damage.

Mrs. Fuller said they claimed it was the Village tree on the devil strip that put out the roots that caused the damage. Do we have pictures? We used to have this problem at our house, but that was years ago. It was our problem, and now the tree is gone.

Mr. Lipan said the closest tree to them was on the right side of their driveway. Their sewer line was on the left side of the driveway. Mr. Scott asked if there were other trees. Mr. Lipan did not recall.

Mr. Jones did not think we could do anything about this. All members of Council agreed.

Mr. Jones said a motion needs to be made to decline the moral claim.

Mr. Scott moved that we deny the moral claim of Mr. Timothy Bowers, 2817 S. Park Drive, for the damage to his sewer line, seconded by Mrs. Fuller. All members of Council signified their approval by saying aye.

Mr. Jones instructed Mr. Housley to send them a letter.

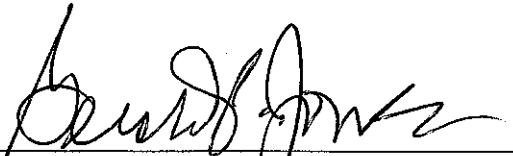
There being no further comments or questions, Council adjourned at 7:42 p.m. until the next regular meeting of Council on Monday, July 18, 2016, at 7:00 p.m. Council will take a recess in August and cancel the August 1, 2016, meeting.

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APPROVED:



Mr. Gerald P. Jones, President of Council

ATTEST:



Sean M. Housley, Clerk-Treasurer

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prepared by: Darlene Pedicino