

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, August 15, 2016

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, August 15, 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, Mrs. Carol Steiner, Mr. Matthew Plesich

Roll call of Council - 7 members present

Mr. Jones asked if there were any additions or corrections to the minutes of the July 18, 2016, regular Council Meeting.

Mr. Scott said on Page 6, about 3/4 down the page, a one-line paragraph reads "Mr. Scott agreed." Since he was not in attendance at that meeting, that sentence is incorrect and should be removed.

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

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

RESOLUTION NO.: 60-2016 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS TOTALING \$ 377,222.12.

Mr. Jones assigned Resolution No.: 60-2016 to the Finance & Appropriation Committee.

RESOLUTION NO.: 61-2016 A RESOLUTION AUTHORIZING OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH INTEGRITY EXCAVATING II, LLC FOR THE REPAIR OF A SINKHOLE AND BROKEN STORM PIPE UNDER THE PARKING LOT, LOCATED AT 2915 SILVER LAKE BOULEVARD, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 61-2016 to the Finance & Appropriation Committee.

ORDINANCE NO.: 62-2016 AN ORDINANCE TRANSFERRING FUNDS FROM THE GENERAL FUND TO THE STORM WATER UTILITY FOR CATCH BASIN REPAIR WORK, AND DECLARING AN EMERGENCY

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Mr. Jones assigned Ordinance No.: 62-2016 to the Finance & Appropriation Committee.

ORDINANCE NO.: 63-2016 AN ORDINANCE AMENDING ORDINANCE 16-2016 TO ESTABLISH A START DATE FOR INTEREST ACCRUING ON UNPAID ASSESSMENTS FROM THE SIDEWALK IMPROVEMENT PROGRAM, EXTENDING THE DATE FOR ACCEPTANCE OF CASH PAYMENTS, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Ordinance No.: 63-2016 to the Finance & Appropriation Committee.

ORDINANCE NO.: 64-2016 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.: 64-2016 to the Finance & Appropriation Committee.

Second reading:

ORDINANCE NO.: 58-2016 AN ORDINANCE AMENDING SECTION 933.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE TO APPLY A MINIMUM FIXED CHARGE FOR UPKEEP OF THE WATER SYSTEM FOR THOSE DIRECTLY CONNECTED TO THE WATER SYSTEM AND THOSE WHOSE CONNECTION TO THE SYSTEM IS THROUGH FIRE HYDRANT SERVICE, AND DECLARING AN EMERGENCY.

Ordinance No.: 58-2016 was previously assigned to the Finance & Appropriations Committee.

Third reading: None

Comments from the audience:

Mr. Jones suggested to Council we relax the three minute rule for tonight, due to the number of people here. Mr. Jones asked those in attendance to try to keep it as brief as they can.

Mr. Dennis Kimmell, 3239 North Dover Road, said he would like to talk about the contract the Village has with the residents of N, Dover Road. I have asked the Mayor to look into the records. Mr. Kimmell continued with the history of that area. A few doctors purchased that area, built their homes, constructed a road, and other residents followed. The people on that road decided they wanted police and fire protection. The Village wanted the tax revenue, so they made an agreement for the residents to supply their own water and maintain their own roads. Sewer facilities are billed by Summit County. There is no relationship between the Village's water and sewer operation and the people on N. Dover. They did not anticipate any charge for fixed costs that is indicated in the

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letter from the Mayor. If they had those bills would have been coming a long time ago. What you are proposing is not part of the original arrangement between the residents of N. Dover and the Village.

We pay the same real estate taxes as everyone else in the Village. We do not get a discount, yet you don't maintain our roads, you don't repair them, you don't provide us any water. We don't get any refund for the extra taxes we are paying.

Mr. Jones said we do plow the road in the winter.

Mr. Kimmell said that's not road has nothing to do with maintenance and repair.

Mr. Jones said that's maintenance.

Mr. Kimmell said that's not maintenance of the road, it's clearing the road so that ambulances and other people get down.

Mr. Jones said we don't charge for that.

Mr. Kimmell said I would hope not, but that has nothing to do with maintenance or repair.

Mr. Kimmell said we have spent over \$70,000 since he became a resident because of damage from storm water. There has been no activity that we are aware of that will prevent this from happening again. These costs are things villages or cities would ordinarily pay for their residents, but you didn't pay for them, because we are responsible for the road.

You want to charge us for the fixed cost of water processing and supply whether we actually benefit from them on a daily basis or not, but the rest of your residents who do have Village water, pay the fixed cost and get benefit from it on a daily basis.

I would like to carry the logic of this forward. When the fire truck from Cuyahoga Falls comes to service us or they have to call a truck from Stow or Munroe Falls, those trucks bring water here. The Village is using water that is provided by some other community. Applying the logic that you have put in this letter, then all the residents of Silver Lake ought to be paying some minimum fixed charge to Cuyahoga Falls, Stow or Munroe Falls, because they might at some point in the future end up having to use the water that comes from those cities. The probability is low of us having to use water from the hydrant, and I don't know the last time it was checked. I don't know what the pressure is, but in any event, in the 20 years I have lived on that road, I believe we have had two visits by the fire department. I think in both cases the fire hydrant was not used. The probability of us using water from the fire hydrant is very, very small.

The letter from the Mayor said the Fire Chief thinks we are in effective range. I think that the first 1,000 feet probably are. I was told each fire truck carries 1,000 feet of hose. My house is 2,115

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away from the fire hydrant, so it would require two trucks, plus 115 feet. The setback of my home is 370 feet. The attack hose on the truck is 200 feet. They would have to attach another hose to reach my house, not counting the distance around my house. My house is not the only one with a huge setback.

What's the purpose in all of this discussion about how far we have to go before we need a second or third truck? There are people who live so far back, it would take three trucks to get to their house. The answer is it is important because it indicates how much time it is going to take for the fire truck to be able to get to our homes to service them. The answer is, it is going to take a heck of a lot longer than it takes to go in and service a home in the main part of Silver Lake.

My contention is that the effectiveness of fire control for people who live on the north end of North Dover Road and Woodland Lane is significantly less than what it is for people who live in the main part of town.

Mr. Lance Kimmell, Dennis Kimmell's son and retired ATF agent, is currently a manager for a security company, which involves being in charge of the fire department there. His dad asked him some questions about the effectiveness issue for a fire, and he asked what the Village's definition of effective is.

Fire Chief Moledor said their procedures were effective.

Mr. Kimmell said there are usually 750 gallons of water on a truck. Based on the distances my father talked about, you would almost empty the reservoir just to charge the line to get down to the driveway.

Mr. Jones said we are not here to grill the fire department. This is a business meeting. You can speak your peace and then there are others that have to be heard.

Mr. Kimmell said the bottom line is that their ability to put out the fire at my dad's residence or past that is not effective, based on my opinion as a fire expert. There is no preoperational planning for the street. By the time they get there, charge the hose line, exhaust the water that is on the engine, and relay water from the street, there will be at least several rooms and basically the entire house is going to be gone. The claim of effectiveness may be the fire chief's opinion, but I can tell you with reasonable scientific certainty, that they will not be able to put the fire out. There is no definition of effectiveness in the State code or FPA. I disagree with the Chief's opinion and I have the scientific background to prove that point.

Dave Chervenik, 3185 N. Dover, wanted to talk about fair and equitable for the homeowners on N. Dover Road, which is a private drive that has been there for 50 years. There are approximately 30 homes. You are proposing a fee of \$5,400 per year for our residents to have access to one fire hydrant. Currently, in the Village there are hydrants approximately every 400-500 feet, servicing about 8 homes. The fee that you would charge them would be \$1,440 per homeowner for their

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fire hydrant. So you are proposing the N. Dover residents pay \$3,960 more, or 76% more. I don't feel that fair and equitable. The 30 residents on N. Dover paid approximately \$182,000 in property taxes in 2015. The Village retains approximately \$65,500 for its services, but the one thing you do not do is you do not repair our roads or underground culverts. We spent approx. \$82,000 in the last three years doing that work for you, on our dime. You are collecting the same amount of tax from every resident, yet we do not benefit the same as every other resident. The residents of N. Dover road are in a higher income tax bracket, so the Village will participate in more income from those residents.

Mr. Chervenik talked about hydrant distances. The other owners in Silver Lake have a hydrant within 200-300 feet of their home. You are asking us to pay for service for hydrants 3,000 feet away from our home. I don't feel it's the same fair and equitable service you are providing the other residents of Silver Lake. He also spoke on water pressure in different hydrants – there are different colors for different pressure. Red is 500 gallons per minute or less. That is inadequate for most homes within 300 feet of a hydrant.

Chief Moledor said we use a pumper truck.

Mr. Cherevenic said it is common for municipalities to have areas that are not serviced by hydrants, such as Bath, Ohio, which has no hydrants and no city water. The Fire Departments are designed to cover that. They have tankers and pumper trucks. He talked about the number of minutes to recognize a house is on fire, then response time, then time to hook up hoses to hydrants, saying he thought you could put the fire out quicker with tankers and pumpers. Mr. Chervenik also asked how we would charge other people who use our water, such as on Englewood who have Silver Lake hydrants, but are in Stow. He also mentioned some other examples. Mr. Chervenik closed saying it was not a fair and equitable proposal.

Mr. Jim Cavanaugh, 3169 N. Dover, said we are being asked to pay for a water system, and what is it? What portion of that water system is one fire hydrant? We feel we are being overcharged for what we are being serviced with. Do you plan on putting in more fire hydrants with the money we will be paying, or city water, or the same services everyone else gets? I didn't see that in the proposal. It's not fair.

Rita Radcliff, 381 N. Dover, said she believed her question had been answered already.

Kathleen Edwards, 1425 Woodland Lane, said she is the last home in Silver Lake at the Stow border, and she is .66 of a mile from that fire hydrant. I have my doubts. This might work in theory, but we all know what happens to theories. Aside from the fire issues, I would like to follow up on what Mr. Cavanaugh said. Residents who pay a fee for the system also put more wear and tear on the system and should pay for that. We never have any access to the Village water system, so I think it is unfair to be charged the same amount as everyone else in the Village for a service that we don't get. We are a private road and pick up the cost to maintain it.

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Mr. Jones said, but this is a private road, we can't maintain it.

Mrs. Edwards said that she understands this but was pointing out that the Residents of N. Dover were picking up the cost for it.

Steven Lively, 3172 N. Dover, said it appears unequitable to him and he echoed Mr. Chervenik's comments. Mr. Jones clarified the charge would be approximately \$16/month.

Mike Marhofer, 3160 N. Dover, said his neighbors did a good job explaining the facts. I have been the keeper of the funds for the road for the last eight years. We have paid almost \$83,000 in the last three years. We have been putting money in since 1971, and we are committed to continue doing that. We are pretty easy for the Village to maintain, as there are no streetlights or sidewalks. It is unfair to ask us to maintain a system that we are not using. We are all maintaining our own systems day to day, with our wells, softeners and pumps, which is an added expense. We don't call on the Village for much and this is a completely unfair request.

Gary Bernardo, 3229 N. Dover, thanked Mr. Kimmell for putting this group and information together. We have lived there for 27 years. We appreciate everything about N. Dover Road. The previous homeowner was very proud that the residents had control over the road and we have enjoyed the sovereignty. You are asking us for \$192 per year and there is no one in this room that cannot afford that. You have brought this group together for \$6,000 per year. We are proud of our road and the people. We are here to honor those who started that street. We are not here to challenge a Fire Chief, but you have issued a challenge to our sovereignty.

Chief Moledor said he was asked to come tonight to talk about our operations. If it is a working fire, we will drop hoses from Graham on in and start to work. We practice extending the lines all the time. My house in Cuyahoga Falls is almost 3,000 feet from the road, so I understand what you are saying. We would call additional engines, which we usually call anyway. We would send a ladder truck and three or four engines. We do service you and take care of you.

Discussion was held with Chief Moledor and several residents. Chief did not want to challenge anyone's experience on this matter but was here to discuss our operations. Discussion was held on fire units arriving and being able to pump water.

Mayor Hovey said the word "effective" was his wording. When he said it could be serviced by the fire hydrant, it was my layman's wording that said "effective."

Mr. Church commented about the residents' concerns about challenging their sovereignty. I think it's a wonderful the sovereignty that you enjoy there. All Council was trying to do was take a contract that we have with Cuyahoga Falls for fire protection and determine the most fair and equitable way to charge all the residents of Silver Lake. It is a complicated issue and he asked Mr. Heydorn to explain.

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Mr. Heydorn said the problem he has is that he can explain it, and he wrote the ordinance because we have had several meetings on this subject. By the end of those meetings you were convinced this was an equitable thing to do, and how could you come to that conclusion based on what you heard here today? For one thing, what you have to come to realize is that there are inequalities in the system everywhere. They exist in lots of different places. The Mayor's answer to Mrs. Edwards says homes in Silver Lake not connected to our water system include DeGruchy Drive (5) Kent Road (2) Englewood (1) Lake Road (2). All of these homes pay the \$15.94 water system maintenance charge.

Mr. Heydorn continued the ordinance we have that determines water rates states rates should be based on:

- (1) a maintenance charge (cost related to upkeep and capital costs of the system)
- (2) the actual usage.

The people that actually use the water pay a usage charge, and those that have the potential of using the water pay a share of the capital cost. Cuyahoga Falls has devised a system that in their judgment provides adequate coverage. They are saying there is at least the potential to use that fire hydrant. By the way, there have only been 10 fires in the last decades. The real question is should anybody that has access to the water system for their benefit pay a charge for the maintenance of that system. If the system were not maintained there would be no water for that fire hydrant. We have to maintain that whole system to get water to that hydrant. If your only contact with the system is one hydrant you pay an inordinate amount.

Mr. Heydorn said I have never seen or heard of a contract for N. Dover Road. I have never seen any documents for it. Even if it did exist it probably would not be legal. I don't believe a contract like that can be struck with a city council. They point is they decided to put that subdivision in there or continue to divide those lots in a situation where they never invested proper money in that street in the first place. When a city takes over a street that is already constructed it has to be accepted by the city. We have never accepted that street, as it is substandard, per our ordinances. If we accepted it we would have to put a ton of money into it. They made the choice to live in that sort of a situation. We really have no business plowing it.

Mr. Jones said that right.

Mr. Heydorn said we shouldn't be doing it.

Mr. Jones said that's right.

Mr. Heydorn said if the residents of this city complained about it, then that would be true. But we've always done it. Dover Road is a special place – it has a different situation from everyone else. There are places in the Village that do pay a minimum amount for fire protection that are

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in the same situation in a sense that they don't have city water. They pay for it; it's not really for fire protection. It's because they have the potential for using the system.

That's why everybody pays a standard rate. The fee is \$15.94 and you can alter this amount if you think it's unfair. Do you want to do it proportionately?

What are you going to do with the people on DeGruchy, Englewood, or Lake Road? Are you going to work out the percentage, or develop a proportional rate for everyone else based on the amount of water they use? Of course not. That's a ridiculous concept. What you are going to do is charge a very low minimum fee across the board, even handedly to everybody. What's fair to one guy may not be fair to the other but we have to look at the whole Village and what we can administer. We may not be able to administer exactly what they are talking about.

So, do you prevail upon these people to pay what other people that are in a similar situation are paying? Or do you say, gee, that's too unfair. Or you can charge N. Dover Road a smaller amount than you charge everyone else. But if you look at the thing in total and look at the argument that I just made to you, you are creating a system that will be unequal no matter how you look at it depending on whose seat you sit in. If you look at the current system, it's simply fair and easy to administer.

I understand everything they are saying. You asked me to write a particular ordinance. It is justified legally. I have proposed this to you because you discussed it and decided it was fair. Now it's up to you to listen to what they've said and reassess what you think is fair. I do think they should agree that the other side of this gets some air as well.

Mr. Jones allowed one more comment from Mr. Kimmell. Mr. Kimmell asked if those other homes in the Village were being charged because they use the sewer system. Mr. Heydorn said no, but sewer charges are based on water usage. N. Dover residents are charged for sewer by Summit County. Mr. Kimmell asked if water pipes were available for those residents to hook up to but were choosing not to. Mayor and Mr. Heydorn said no, except for maybe one house.

Mr. Jones asked Chief Moledor if it was fire protection Class 3 on N. Dover. Chief said yes. Mr. Heydorn added if there was a fire protection problem, they should be paying much more for insurance. Mr. Jones said you can look on your policy and see if you are rated 3. If you are at 8 or 9 you are paying a much higher rate.

Mr. Jones said we have to move on with our meeting and I don't think we will pass this tonight. I thank you for all your comments, and we will go further from here. Following a five minute recess, the meeting reconvened at 8:05 p.m.

FINANCE AND APPROPRIATIONS COMMITTEE – MR. CHRISTOPHER SCOTT

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RESOLUTION NO.: 60-2016

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

Mrs. Steiner asked why it was so large, and Mr. Housley said this includes the street resurfacing program, which is a large payment.

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

RESOLUTION NO.: 61-2016

Mr. Lipan said some repair was done in 1998, but he now needs to replace 50 more feet, as it is developing a lot of sinkholes. Silver Lake Estates will pay for the catch basin.

Mr. Scott asked if we needed to repair any more where it connects to our sewer lines. Mr. Lipan said not at this time. This will save us a lot of money to do it at this time. We will use reinforced concrete pipe.

Mr. Steiner said we have been talking about enacting green legislation. If we had that in effect and they are resurfacing a huge area, I think that would be a possibility.

Mr. Lipan said it is very expensive. When you do a pervious surface for drainage, you have to dig down about six feet and start with layers of sand and rock. There is a lot of money involved. I brought it to the boathouse and they laughed at me.

Mrs. Steiner suggested there could be plantings surrounding the parking lot, however that is not the Village's decision.

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

ORDINANCE NO.: 62-2016

Mr. Housley said we would be paying for the work out of the storm water fund, and it currently does not collect enough to pay for some of the maintenance. The General Fund subsidizes it. At the next budget cycle we will discuss this.

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

ORDINANCE NO.: 63-2016

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Mr. Housley will be certifying these charges to the County. This is designed in a way to address the way things have been done. I have had some residents (about 16) who paid after the due date.

Mr. Scott said we are extending those cash payments so we can accept them. Mr. Housley has been told that if anybody comes in with a payment, we cannot take money from them, but we now have to certify it to the County. There is about \$41,000 unpaid, out of \$152,000, which means 73% of the residents paid.

Mrs. Steiner clarified this only changes the date.

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

ORDINANCE NO.: 64-2016

Mr. Housley said he is just moving appropriations around to cover some expenses, including a new webpage design.

Mayor said we will have a different provider and we will be able to do more ourselves. The system they designed for us last year did not do what we wanted it to do.

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

Second Reading:

ORDINANCE NO.: 58-2016

Mrs. Steiner commented she thought Mr. Heydorn did a great job of explaining that it's okay the way it is.

Mr. Heydorn said you are not going to make everyone happy. You could consider everyone who is in this situation pays something. The problem with that is when you start to figure, there is no rational basis for this being here or there. This would be a nominal charge, and do you want to make it more nominal, such as \$4.00?

Mr. Jones asked about the contract between the Village and N. Dover Road. Mr. Heydorn said it developed piece by piece as they sold off parcels of land on N. Dover. Subdivisions usually obtain an approval of the plat. None of that was done here. Usually in these situations the place falls apart, but luckily the residents on N. Dover have maintained their properties. The zoning code now does not allow private streets.

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Mr. Church asked if we are able to assess this cost to only those homes within 1000 feet of a hydrant and then it is up to each individual resident to pay if the fire department is called.

Mr. Heydorn said the second part is not possible. The fire department will respond to a fire there. Residents probably want township fire trucks, which are tanker trucks, as they don't have hydrants.

Mr. Heydorn said the fire department contract is paid out of the General Fund. The charge we are talking about is not for fire protection. It is for maintenance and capital improvement of the water system, which here happens to mean the use of that hydrant.

Mrs. Fuller said Mrs. Edwards asked if she could request we table this so they could have more discussion and we don't vote on it tonight.

Mr. Heydorn said Council can have a third reading and then table it.

Mrs. Steiner asked if anyone had any thoughts about changing the amount of the charge.

Mr. Jones said we discussed this a month ago and went through the rationale.

Mrs. Steiner said she thought it was the principle of the issue and not the \$16.00 per month.

Mr. Scott asked how we arrived at the figure of \$15.94. Mayor did not know. Mr. Housley said it is related to the cost of water infrastructure. It has not been looked at in a number of years.

Mr. Heydorn said it may have been 20 years ago.

Mr. Jones said we gave this a lot of discussion and I think we made a fair decision.

Mrs. Steiner wanted to make sure all of Council was still in agreement.

Mr. Scott said we don't differentiate between 1 unit or 10 units used. The monthly charge would be the same, but they may only hook up whenever there is a fire.

Mrs. Fuller asked if we could add another hydrant. There is a Stow hydrant which could be accessed using mutual aid. Mr. Heydorn explained an easement would have to be obtained and a decision would have to be made about paying for it. An assessment should be done. Extending the water lines would cost thousands and thousands of dollars. Mr. Lipan said two years ago an estimate was \$145/foot.

Discussion was held on the rate of \$15.94. Mr. Heydorn said that figure cannot be anything but arbitrary unless you plan on changing it every year. Mr. Housley said we do look at what our collections are and if we need to make adjustments we have done so (because the bottom line is the fund should break even and maintain a certain amount of cash in it).

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Mr. Scott said we have adjusted the fixed rate. Mr. Housley said the rate has gone up in the water fund.

Mr. Heydorn said the \$15.94 should be looked at in today's dollars for replacement and improvement and see what the \$15.94 covers.

There are 31 homes on N. Dover and about 10 residences were represented tonight.

Mr. Jones didn't think we should make it lower. I think it's fair.

Mrs. Fuller said she hoped it got diffused tonight. Mr. Heydorn's explanation was excellent. I hope they understand Council is not trying to find a cash cow.

Discussion was held about the costs homeowners bear on a private road. Homeowners on N. Dover bought into that when they purchased a home.

Mr. Housley added the last time we passed water rate legislation, the fixed component was adjusted each year that we adjusted the water.

There being no further comments or questions Mr. Scott said this Resolution would be held for third reading.

Personnel and Public Affairs Committee – Mrs. Carol Steiner

Mrs. Steiner said the Committee met earlier this evening and is recommending the following:

- Placement of **Service Worker Charles Burgan to Service Worker Step 2** at \$36,608.15, \$0.35 per hour, effective August 10, 2016

Motion to confirm by Mrs. Steiner, seconded by Mr. Scott.
All members of Council signified their approval by saying aye

- Placement of **Patrol Officer Robert Simone to Patrol Officer Step 14** at \$24,561.7 hourly, \$0.88 per hour, effective July 24, 2016.

Motion to approve by Mrs. Steiner, seconded by Mrs. Fuller
All members of Council signified their approval by saying aye.

- Promotion of **Officer James Norris to Lieutenant Step 8** at \$55,527.97, effective September 6, 2016. This will give us a Chief and two Lieutenants.

Motion to approve by Mrs. Steiner, seconded by Mr. Church
All members of Council signified their approval by saying aye.

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- Recommendation to hire **Intermittent Part-Time Patrol Officer Samantha Bailey to Full-Time Patrol Officer** Step 1 at \$18.1691 hourly, effective September 6, 2016.

Motion to approve by Mrs. Steiner, seconded by Mrs. Meyer
All members of Council signified their approval by saying aye.

- Recommendation to hire **Craig Rowe to Intermittent Part-Time Patrol Officer** Step 1 at \$18.1691 hourly. He will only be paid half (\$9.08 per hour) while in training, effective September 6, 2016.

Motion to approve by Mrs. Steiner, seconded by Mrs. Fuller
All members of Council signified their approval by saying aye.

Finance and Appropriations Committee – Mr. Scott

Mr. Scott stated **Resolution No.: 60-2016** was discussed in Committee and is ready for adoption.

Motion to adopt by Mr. Scott, seconded by Mrs. Steiner
Roll call on adoption: Yes 6 No 0 Abstain 1 (Plesich)

Mr. Scott stated **Resolution No.: 61-2016** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mr. Scott, seconded by Mrs. Meyer
Roll call on suspension: Yes 7 No 0

Motion to adopt by Mr. Scott, seconded by Mrs. Steiner
Roll call on adoption: Yes 7 No 0

Mr. Scott stated **Ordinance No.: 62-2016** 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 7 No 0

Motion to adopt by Mr. Scott, seconded by Mr. Church
Roll call on adoption: Yes 7 No 0

Mr. Scott stated **Ordinance No.: 63-2016** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mr. Scott, seconded by Mrs. Meyer
Roll call on suspension: Yes 7 No 0

Motion to adopt by Mr. Scott, seconded by Mrs. Steiner
Roll call on adoption: Yes 7 No 0

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Mr. Scott stated **Ordinance No.: 64-2016** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mr. Scott, seconded by Mrs. Meyer

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Reports of Village Officials

Mayor Hovey reported our bookkeeper, Karyn Reiheld, resigned. Her last day will be Friday, September 19, 2016. Kim Pigman has proven herself to be an extremely industrious worker, very intelligent, and very willing to be involved in everything. She has the heartfelt and full endorsement of Sean Housley and Susan Lipan that she can do the job, so I am appointing Kim as our bookkeeper. I am doing it on an interim basis because I am also advertising for the position to see if there is someone we should interview. But we have every confidence Kim can do the job, so we will see how it goes over the next month or so. We are going to start her at Step 1. After it is determined and if the interim status is removed, I would probably ask for a Personnel Placement Committee to consider a higher step. Step 1 pay is around \$34,000, and was set in 2013.

Mrs. Meyer asked why Karyn left. Mayor said it was for more money.

Mayor also reported he did attend the service for Russ Pry Saturday morning. It was remarkable. Whether you are Republic, Democrat, Libertarian, etc., that man worked very hard for the citizens of Summit County and he will be very much missed.

Mr. Robert Heydorn, Village Solicitor, reported we received notice from the Board of Elections that they wanted to see a change in our ballot language for the charter amendments we proposed. I rewrote them and Sean and I went down to the hearing. They readily accepted the revised language I proposed. We will have language that is fair ballot language. This is the first time in 40 years I have seen the Board of Elections themselves review ballot language and hold a hearing. In prior years it may have been reviewed by the County Prosecutor or Secretary of State.

Chief John Conley reported last year he and the Mayor attended a meeting in Tallmadge, which focused on the urgency to replace and upgrade technology for the county-wide radio system. Toward the end of last year I came to Council and said we had to upgrade these radios to P25 compliant. The urgency was this was supposed to go into effect around the middle of June. We have purchased our radios and it is taking a little longer to complete the upgrades. They are working on their goal to ensure that all radios are programmed for compliance for the transition by June, 2017. We still have the new radios we purchased sitting downstairs waiting for the program.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, August 15, 2016

7:00 p.m.

Body cameras have not been received yet. Many agencies across America are ordering these, so we are in line.

Mr. Church asked Chief to talk about his recent hires, as he felt they were superstars.

Chief said our officers' productivity and the way they are handling themselves has been outstanding. I equate them to a baseball team, and their batting average is just phenomenal.

Mr. Jones asked about the signs being put up by contractors. We are not enforcing that. The prior Service Director used to remove them.

Chief said he will advise his officers on evenings and weekends to address the problem. He has been addressing it on day shift.

Mr. Mark Lipan, Service Director, reported the walk bridge was repaired last week. Painting around the school is completed. ODOT painted stripes the day after he called. Graham Road. We have about 800 meters installed. We are booked through August, but will have to start calling residents to schedule.

Mr. Jones asked why we paint STOP on the road when there is a stop sign. Mr. Lipan said his understanding is it done around the school. It used to be wherever there was a stop sign, there used to be a stop bar and the word STOP on the street throughout the entire Village.

Mr. Jones commented Cuyahoga Falls did a great job painting their fire hydrants. Mr. Lipan said we will get to it when his staff has time or if he can hire someone. Painting of house numbers was also brought up, and he was trying to get the Boy Scouts to do it. It was rejected by them as too dangerous.

Mrs. Steiner asked about the street light outages all over the Village, especially on the Boulevard. Mr. Lipan said there are 16 lights out on Silver Lake Blvd. They are going to put in a new pole, as something was cut when construction work was done. He should be done within the next week or so. Chief Conley said our officers notify Ohio Edison, and Mayor Hovey added it can take them two or more months to complete repairs, as well as several phone calls.

Mr. Sean Housley, Clerk-Treasurer, reported on the revenue side, things are looking pretty good. Water/sewer consumption is up about 13% through the end of June. I haven't done the numbers for July, but we collected about \$21,000 more this July than we did last year at this time. It has been a dry summer. Through May we were at negative 1%, and we did some catching up in June.

The same thing is happening with our income taxes. In 2015 I budgeted \$577,000. I budgeted \$585,000 this year, expecting a slight increase. We are projected to receive about \$625,000, or \$40,000 above the estimate.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, August 15, 2016

7:00 p.m.

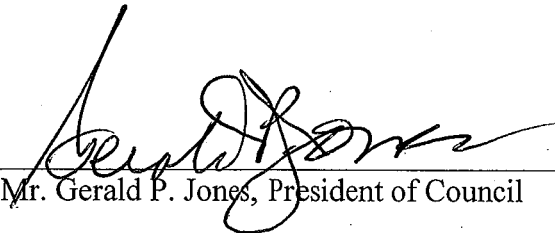
Also I want to remind everyone that I have to submit an application for nomination by the Ohio EPA regarding the sanitary sewer project and it is due August 31, 2016. I am working on it.

Miscellaneous Business

Mrs. Meyer asked if we know anything about Silver Lake School. Mayor said there has been nothing said and they won't make any comment about the elementary school situation until they build the middle school/high school complex.

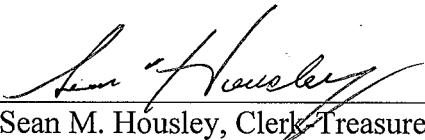
There being no further comments or questions, Council adjourned at 9:14 p.m. until the next regular meeting of Council on Tuesday, September 6, 2016, at 7:00 p.m.

APPROVED



Mr. Gerald P. Jones, President of Council

ATTEST:



Sean M. Housley, Clerk/Treasurer

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prepared by: Darlene Pedicino