

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, October 3, 2016

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, October 3, 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, Mrs. Carol Steiner, Mr. Matthew Plesich

Roll call of Council - 6 members present

Absent - Mr. William Church

Mr. Scott moved and Mrs. Fuller seconded to excuse the absence of Mr. Church. 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 September 19, 2016, regular Council Meeting.

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

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

RESOLUTION NO.: 72-2016 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS TOTALING \$111,391.71.

Mr. Jones assigned Resolution No.: 72-2016 to the Finance & Appropriation Committee.

RESOLUTION NO.: 73-2016 A RESOLUTION AUTHORIZING THE SUMMIT COUNTY FISCAL OFFICER TO ADVANCE LOCAL TAXES FOR THE BENEFIT OF THE VILLAGE OF SILVER LAKE FOR TAX YEAR 2016, PAYABLE IN 2017, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 73-2016 to the Finance & Appropriations Committee.

RESOLUTION NO.: 74-2016 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH WINDOW WORLD FOR THE REPLACEMENT OF CERTAIN VILLAGE HALL WINDOWS, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 74-2016 to the Finance & Appropriations Committee.

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ORDINANCE NO.: 75-2016 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.: 75-2016 to the Finance & Appropriations Committee.

RESOLUTION NO.: 76-2016 A RESOLUTION ESTABLISHING A DRIVEWAY SNOW REMOVAL PROGRAM FOR SENIOR AND INFIRM RESIDENTS, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 76-2016 to the Personnel & Public Affairs Committee.

Second reading: None

Third reading: None

Comments from the audience:

A resident asked what Council would be discussing relative to driveways for senior citizens. Mr. Jones clarified Council would be discussing snow plowing for seniors.

FINANCE AND APPROPRIATIONS COMMITTEE – MR. CHRISTOPHER SCOTT

RESOLUTION NO.: 72-2016

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

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

RESOLUTION NO.: 73-2016

Mr. Scott said we do this every year. Mr. Housley confirmed this is routine.

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

RESOLUTION NO.: 74-2016

Mr. Lipan said he was going to put this into next year's budget, but he can move money around and get it done this year. There are 19 windows that have not been replaced. Many have been replaced in the offices at Village Hall. The windows are aluminum on aluminum. Some won't

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even open, as they are corroded shut. Some will not close. They cannot be cleaned on both sides, as the mechanisms won't open. This cost is approximately \$488 per window.

Mayor Hovey said they can't be cleaned either.

Mr. Lipan said falls window cleaning can't clean the inside of them.

Mr. Jones asked how many windows?

Mr. Lipan said 19.

Mr. Jones said that these are not just for Village hall.

Mr. Lipan said no, this includes windows in the ladies' restroom, Village Hall and upstairs. The building was built in 1956 and the windows have been here ever since. The new windows carry a transferable limited lifetime warranty.

Mr. Scott asked if these were original windows.

Mrs. Meyer said she had Window World windows installed hers around 25 years ago and she is now fighting with them to get replacements. Mechanisms are not working and she believes it is from the salt on Kent Road.

Mrs. Steiner asked when we did the other windows. Mr. Lipan said Police Department windows were done by Chief DeMoss, as he wanted them bulletproof. The office windows were done before Mr. Lipan got here.

Mr. Jones asked what kind of windows they would be. Mayor and Mr. Lipan said they would be double hung.

Mayor Hovey said it's your typical double hung vinyl replacement windows.

Mr. Jones asked if they were double pane. Mr. Lipan said yes. They are solar zone, thermal with a lining to prevent heat from coming in or going out and they have the colonial grids.

Mr. Jones asked if these were double hung.

Mr. Lipan said no.

Mr. Scott asked if the new windows folded in. Mr. Lipan said yes, just like the rest of the office windows.

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Mrs. Fuller asked if the current windows could be cleaned from the inside. Mr. Lipan said they don't fold in and therefore only the inside can be cleaned.

Mr. Jones asked if the warranty was included, or if we were paying for it. Mr. Jones questioned the cost of \$2,300 for the lining and asked what it does.

Mr. Lipan said the value-plus package includes lining inside the glass, which is for energy efficiency.

Mrs. Fuller said they are considerably less than the other quotes.

Mr. Jones asked if this company offers one free window for each one you buy. Mr. Lipan said yes, that is pretty much what this quote essentially is, if you look at the price of this one and the other ones.

Mr. Plesich asked if the other windows have to be taken out. Mr. Lipan said yes.

Mr. Lipan said this will include trim around the windows.

Mr. Jones asked if there will be damage when the old window comes out.

Mr. Lipan said the new windows are a little wider, so they should cover any imperfections.

Mrs. Fuller asked if they will save us on heating and cooling.

Mr. Lipan said probably over 20 years they will save, but it does take a while to recoup your money.

Mr. Scott said the existing windows probably have a low R value and are single pane. If these are original windows we are replacing, I'm fine with it.

Mr. Jones asked when they anticipate doing the job.

Mr. Lipan said it is 6-8 weeks once approval is granted.

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

ORDINANCE NO.: 75-2016

Mr. Scott said this is just to amend appropriations to allow for purchase of windows discussed.

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

STATEMENT OF CASH POSITION

Mr. Scott said the Statement of September 30, 2016, is completed.

Mr. Housley said we are probably about 5% under our appropriations for the year, which is good. Our revenues are probably 2% - 3% higher than anticipated, and income taxes are up. Everything looks good, and we are reconciled.

Mr. Scott asked Mr. Housley if he wanted to make any comments on the financial statement.

Mr. Housley has been waiting for the agreed-upon procedures to be completed by the auditors.

Mr. Housley attached their report to the back of that report. That report is prepared in accordance with the standard set by the Ohio Revised Code. It would be the State of the Village finances for 2014 and 2015 for comparative purposes. The notes are informative to look at and include discussion on our investments. You can see how they have changed. Mr. Housley added Council has any questions to give him a call.

Mrs. Fuller said it looks as if they were very satisfied. Mr. Housley said yes. We have to qualify even for the Agreed Upon Procedures review and when they show up, this could completely change to a full-fledged audit if they find any problems.

PERSONNEL AND PUBLIC AFFAIRS COMMITTEE – MRS. CAROL STEINER

RESOLUTION NO.: 76-2016

Mayor said it is pretty much like it has been in the past. It has cost us very little money, and there are 20 or less residents involved.

A resident in attendance asked if she was qualified. Mayor said we would have to fill out the application.

Mr. Jones asked what the age guideline is. Mayor said he is fairly sure it is 65, but there are salary requirements based on federal standards. You cannot have an able-bodied person in the house that could shovel the driveway.

Mr. Jones asked how we determine the income.

Mayor said we know the people involved and any we have questions about, we just call them in and ask for verification.

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Mr. Jones asked "How do you know?"

Mayor said we know the people in Silver Lake. We know if they are retired and we have a good idea of what their income level is. We have a really good idea.

Mr. Jones said but not about their income.

Mr. Hovey said yes, we have a pretty good idea.

Mr. Plesich asked if they were required to fill out an income verification form.

Mayor Hovey said, they are required to fill out a form and testify to their income. If we have any kind of a question we ask for their federal tax returns. We have done that in a couple of instances. Suzanne knows everybody; the Police Chief knows everybody; and we have a real good idea of who they are. I am real confident we do not have people lying and cheating on us.

Mr. Jones said "I am not suggesting that. I'm just wondering how we determine their income."

Mayor said we know the families.

Mrs. Steiner said they have to tell us on their application.

Mayor said yes, they tell us, and if we have a question we look into it.

Mr. Jones said they tell us, but we don't know.

Mayor said it is the same people every year. We go to their houses, we see their infirmities, we see their age.

Mr. Jones said "But you don't see their tax return."

Mayor said "I am real confident we are doing the right thing - 100%."

Mrs. Steiner said the total cost of the program will not exceed \$1,800, so we have that cap on it.

Mr. Housley said we brought it down, and the Mayor has the right to cancel the program if it exceeds \$1,800.

Mayor said it used to be \$5,000, but we never came close to that.

Mrs. Fuller said we usually plow once a storm in a 24 hour period.

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Mr. Housley told Mr. Jones he could add some verification regarding checking their income. They do attest on the back of their statement that their income is below the threshold that we identify on the sheet. I do spot check some individuals. If for any reason we might suspect they weren't telling the truth, and if they are determined to not be telling the truth, they could be liable. We have had some bring in W-2's and we have called R.I.T.A.

Mr. Scott said it seems to me a couple months ago when other things were being discussed this came up and there was a question of the legality of doing this.

Mayor said I don't remember that discussion, but most surrounding communities do this.

Mrs. Steiner said Cuyahoga Falls does it.

Mr. Scott added the question was raised about spending public money for a private service, but I know others do it, too.

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

Personnel and Public Affairs Committee – Mrs. Steiner

Mrs. Steiner stated **Resolution No.: 76-2016** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mrs. Steiner, seconded by Mr. Plesich

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Finance and Appropriations Committee – Mr. Scott

Mr. Scott stated **Resolution No.: 72-2016** was discussed in Committee and is ready for adoption.

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

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

Mr. Scott stated **Resolution No.: 73-2016** 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 6 No 0

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

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Roll call on adoption: Yes 6 No 0

Mr. Scott stated **Resolution No.: 74-2016** 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 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Scott stated **Ordinance No.: 75-2016** 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 6 No 0

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

Roll call on adoption: Yes 6 No 0

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

Reports of Village Officials

Mayor Hovey reported last Friday he spent two hours at Silver Lake Elementary speaking at their Career Day about the role of the Mayor and the Village. You will be happy to know I talked about the role that Council plays in the government and I praised every one of you.

You have probably read in the paper about the dispatch conversations and meetings going on. We really don't have a voice in that since we are a customer of Cuyahoga Falls. The reason they are doing it is because the State has mandated we have to be down to four dispatch centers in Summit County. This will get us down to five. They are talking about the health department location on Graham Road because it is very expandable. My question to the mayors was "Why can't we use the one we presently have, because it seems like there is enough room to expand." Their issue was they don't think it can expand enough. In another year they will have to get rid of another dispatch center in the County and this one will allow them up to 12 or 16 different stations. I don't know much more about it than what has been in the paper and what I've said right now, but we will probably have a dispatch center moved into the building where the Summit County Health Department departed a few years ago. Chief Conley probably has more information, as I sent him to the meeting. I will try to attend the next one.

The only other thing is very preliminary, but I have mentioned before we need to start doing something about Englewood Drive and Harriett Road. Over the last couple of weeks I have talked with several people on Englewood and Harriett and they are asking what we are going to do. On

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Harriett it remains that we have a sewer line that turns at a 90 degree angle, which causes all kinds of problems resulting in a backup. We have a possible solution where we will take out that 90 degree and make a "Y" and have some of it go to the present storm sewers. The only thing on Englewood that will correct that is sewers and sidewalks. I am probably going to be asking in the next budget for approval for getting engineering done on it. We are in the process right now of getting some engineering companies to estimate what they think it might cost. We can get their estimates free of charge. Once I have that information I will bring it to you and we'll decide what we are going to do when we talk about the next budget.

Mr. Jones asked if it would be assessed if we do it.

Mayor said sidewalks and curbs can be assessed. I don't know if we've ever assessed on sewers, but I think it can be. Certainly, parts of Englewood can be assessed. At this point I have no idea what it would cost or what an engineering study would cost. I would like to have an idea of what a study might cost before I come to you and ask for something.

Mr. Robert Heydorn, Village Solicitor, was absent.

Chief John Conley was absent.

Mr. Mark Lipan, Service Director, reported the leaf and limb program will be October 24, 2016 through November 30, 2016.

Most of the fire hydrants are painted on the northeast side of town.

Mr. Lipan ordered the rest of the water meters last week, totaling about 26, with about 186 remaining to install. Mr. Lipan urged Council to make their appointments. Mr. Lipan said the residents have been great. So far we have not had any major problems. Everyone has been calling in to schedule and we only ran into a few problems. There are a few homes that we can't get the transmitter outside because the basement walls are all finished. That's where the handheld will come in.

Mr. Sean Housley, Clerk-Treasurer, reported he is in the process of creating a letter to go out in the next Residents' Review that is going to talk a little bit about the subpoena program that's under way, what our residents' income tax responsibilities are, and give them some information on people they can reach out to if the need to. Mr. Housley is working with R.I.T.A. on the letter.

Mr. Jones asked what kind of activity we are getting on the letter that went out recently.

Mr. Housley said he is not involved with that directly, as R.I.T.A. sent out the letters. People will have an opportunity to respond to R.I.T.A. in a format identified in those letters. For the non-respondents R.I.T.A. should prepare a second subpoena where they ask them to come to Village Hall. Typically, we do get a lot of people show up at Village Hall, so a lot is done there. Sometime

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in January I should have a list of individuals that have been non-compliant with filing. We will have to make a determination of what we want to do with those persons next year.

Mr. Jones asked if it was about 10% of our population. Mr. Housley said they sent out over 300 letters, so that's more than 10%. Mr. Jones said the percentage is probably higher, due to people that are of age and have income.

Mr. Housley said the majority will probably be people that have moved out, as he sees that a lot. Teenagers who move out of the house also make up a substantial amount of non-filers. We'll know more in January.

Miscellaneous Business

Mrs. Steiner asked about campaign signs. Are we supposed to charge \$5.00?

Mayor said we cannot do that, but they do have to be out of our right of way.

Mrs. Steiner asked when we are going to talk about the water meter charges again.

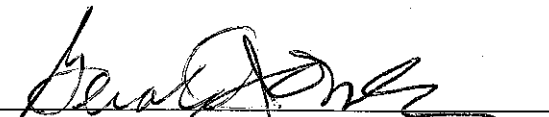
Mr. Scott said he thought we were going to have the ordinance. I think we are at the step now that we want to look at the legislation exactly how it is currently written to see if there are any adjustments that we want to make to it and whether or not it is going to be so much of an adjustment that we just want to kill the present legislation and have it rewritten or whether it's just minor tweaks, if any tweaks.

Mr. Jones said, so, when Bob comes back?

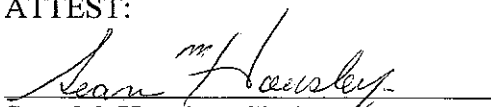
Mr. Scott said yes, he would be back prior to the next meeting.

There being no further comments or questions, Council adjourned at 7:38 p.m. until the next regular meeting of Council on Monday, October 17, 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