

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 7, 2016

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, November 7, 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 October 17, 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.: 81-2016 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS TOTALING \$250,014.80.

Mr. Jones assigned Resolution No.: 81-2016 to the Finance & Appropriation Committee.

ORDINANCE NO.: 82-2016 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.: 82-2016 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.: 81-2016

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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.

ORDINANCE NO.: 82-2016

Mr. Scott asked Mr. Housley if he had any comments.

Mr. Housley explained that the purpose of the legislation includes reduced appropriations for Personnel related costs and State Examiner fees and increase the transfers out in the General Fund related to interest income.

Mr. Housley said that as we earn interest it is deposited into the General Fund and then transferred proportionately to the General Capital Improvement, Water Capital and Sewer Capital Funds.

Mr. Scott asked if this was a good thing.

Mr. Housley said yes.

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

STATEMENT OF CASH POSITION

Statement of October 31, 2016 was presented.

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

Finance and Appropriations Committee – Mr. Scott

Mr. Scott stated **Resolution No.: 81-2016** 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 **Ordinance No.: 82-2016** was discussed in Committee and is ready for adoption.

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

Roll call on suspension: Yes 7 No 0

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

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Roll call on adoption: Yes 7 No 0

Mr. Scott moved to approve the **Statement of Cash Position of October 31, 2016**, seconded by Mrs. Steiner. All members of Council signified their approval by saying aye.

Personnel and Public Affairs Committee – Mrs. Steiner

Mrs. Steiner reported the Personnel Placement Committee met this evening to consider some step increase raises. It is recommending the following:

Placement of Benjamin Gregory, Assistant Service Director, on Salary Ordinance from Step 8 to Step 11, \$0.96 per hour increase, 3.8% increase, from \$52,406 to \$54,396

Mr. Jones said he agreed to go along with it, but based on what he heard from the Mayor, Mr. Gregory is interviewing for a position in Kent which would pay \$68,000. This is not going to keep him if he is offered that job. It's a totally different position, but I agreed to go along with it. It's roughly a \$2,000 a year increase. We'll see whether he even gets offered the position

Mr. Scott confirmed it is a total of a three step increase. It is two additional steps.

Mrs. Steiner said this was recommended by a 3-0 vote.

Mrs. Fuller said he is an excellent employee.

Mrs. Steiner said she we've heard many comments about what a great job he has done for us.

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

Roll call: Ayes 7 Nays 0

Placement of Mark Lipan, Service Director on Salary Ordinance from Step 4 to Step 7

Mrs. Steiner said this came out of the Committee by a 2-1 vote. He is currently at \$64,620. This would increase him to \$68,579, approximately \$3,955 increase, 6% increase. Mark has been with us for 18 years. If this would be accepted he would be on Step 7 and still have four more steps before he would get to the end of his step process.

Mr. Jones said he was the no vote, but it has no reflection on Mr. Lipan. As I think I stated last time, I felt two steps was sufficient. I am also concerned, and I made that comment tonight to the Mayor, that we are going outside what we established a couple years ago when we set up the step program of 2% each year. I see now that there's a recommendation for next year that we have a 1% cost of living increase on top. We are not abiding by what we decided a couple years ago. I feel two steps for Mark is sufficient at this time.

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Mrs. Steiner said her rationale is Mark has been with us four years longer than Ben. He is the Service Director. I cannot justify giving Ben a three step increase while only giving Mark a two step increase. That doesn't sit well with me, and I am not in favor of it.

Mr. Church asked when we set up the step program we also allowed for the flexibility of getting off of that if necessary from time to time, correct?

Mr. Scott said I think we were talking about was an additional step or something like that.

Mr. Jones said he didn't recall discussing three steps.

Mrs. Fuller said I think we did discuss it.

Mr. Scott said I think it was more to retain an employee more than anything, like we are doing with Ben, trying to retain his services so he doesn't go elsewhere.

Mr. Church said we did not specify a reason. The flexibility was there to do it for whatever reason Council deems necessary.

Mrs. Steiner asked Mayor Hovey if he would like to make a comment.

Mayor said Mark is an extremely valuable member of our work force. He has proven himself time and time again with the different grants he has brought in and saving us on many different projects. He has more service in this Village than our other two department heads combined, yet even if he were granted this raise, he would still be \$4,000 less than a department head that only has four years of service. I think he is underpaid. I think he is worth every penny of it. We are certainly in a financial position that we can do it. You will hear later tonight, we are in a very good financial position.

Mrs. Steiner said just as we would not like to lose Ben, I would not like to lose Mark.

Mr. Scott said the only thing I would bring up is that you didn't think it was right to give Ben three steps and not Mark, but you also have to look at the dollar difference. It's twice as much money we are talking about for Mark.

Mrs. Steiner said it is not a doubling in the percentage increase. Ben's is 3.8% and Mark's is 6%.

Mr. Scott said dollar amount is what matters to everybody at the end.

Mr. Church said when you look at department heads you see the work of the Service Department being done 24 hours a day, 365 days a year. It's an incredibly valuable service to this community.

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Mrs. Fuller said I am not necessarily a proponent of an automatic annual cost of living raise every year. I have been a proponent from the beginning of merit raises. We have said in the past if this is an exceptional employee I do believe we should jump him a step or two. Bernie is his boss and came to us and said Mark should be jumped three steps. In this case I am in agreement. I see it as a merit increase. I think he has done an excellent job. That doesn't mean I would vote for across the board increases everywhere and that doesn't mean every person that comes up for a raise would jump two or three steps. In this particular case I think he has done the job and I will vote for it.

Mrs. Steiner said I think both of these are exceptions. These are also both administrative positions.

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

Roll call: Ayes 5 Nays 2 (Scott, Jones)

Reports of Village Officials

Mayor Hovey reported he has been getting more and more complaints about deer. Since it is almost deer season Mayor would like some direction from Council to bring to the next meeting to authorize some sort of thinning of the herd. I need to know the feelings of Council before we do that.

Mr. Jones said he thinks that requires something from the ODNR.

Mayor said we can comply with ODNR by using a bow and arrow. Several years ago it was about 50/50 that residents wanted to thin the herd. Now it is probably more like 80/20. I don't want to bring something forward and have Council say we are not going to do that.

Two other cities (Rocky River and Seven Hills) are doing this for the first time. We are trying to get information from them about problems or pitfalls they ran into.

Mr. Church asked what percentage of the deer they are looking to eliminate. Mayor did not know. We do not have a count of the deer in Silver Lake.

Mayor said he was sure we would be using hunters that are licensed by the State of Ohio and we would put a limit on how many they can get in a day. We would know maximum they could do.

Mr. Scott asked if this would be a specialized group of people.

Mayor said my thought is they would have permission or a special license from the Village. They would have to check in and they would be told where they can hunt.

Mr. Plesich asked if there is a cost. Mayor said he did not know.

Mr. Heydorn said they would have to take the deer.

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Mayor said he would want them to take the deer and get them out of here.

Mr. Church asked if Mayor Hovey wanted to have an open forum during a Council meeting.

Mayor said no, but if Council tells me forget it, then I'll forget it. If there is general consensus that you'd like to at least consider legislation I'll bring something forward two weeks from now.

General discussion held on deer hunting.

Chief Conley said he didn't think culling required being done during hunting season. It can be done any time.

Mr. Jones said he thinks it is a bad idea. The idea of culling doesn't sit right with me and a lot of people will be upset. I see them. They are in my yard every night. It's where we live, and it's where they live. I don't like the idea of people in the Village shooting deer.

Chief Conley said there have not been many accidents reported this year because of deer.

General discussion held.

Mayor polled Council members and six said they would look at legislation if he brought it forward for the next meeting. Mr. Jones did not agree.

Mayor said next time I will be asking for a salary increase for our employees. I do that for a couple reasons. (1) Council said they would look at it the end of the year. (2) I do look at it as COLA. I don't think it's good to have our steps tied to a rate we set in 2013.

I said back in June we had plenty of money to pay our employees. Sean will be giving you a report that I think this year we have generated \$190,000 more in revenue than we thought we were going to get. That will pay for 10-15 years of very modest increases I am proposing. Not to mention the additional revenue we have from reduced appropriations we are going to be making. All that money we got this year we had no idea we were going to get, we could give modest raises for 10-15 years. I wanted to let you know in advance I will be bringing something for your consideration next time.

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

Chief John Conley reported last week one of our officers responded to a report of an intruder (deer buck). We caught him on film. He had broken into the house and was caught in the living room. We didn't have to do the paperwork, as it was actually in Stow. He was very cooperative with officers.

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Mr. Jones asked if we are supposed to report street light outages to the Police Department. Chief said yes. We fax it to Ohio Edison and it can take weeks for repairs.

Mr. Jones said he had some conversation with the Chief about the school property and the people that are mowing it. Residents have complained about them starting at 7:00 a.m. Chief Conley has spoken to them to resolve the situation.

Mr. Church said many people do not seem to be adhering to keeping their leaves out of the street. Chief said he has been issuing a lot of courtesy notices. Contractors have told him residents do not want the leaves on their devil strip.

Mrs. Steiner suggested tickets be issued instead of just courtesy warnings. Mr. Scott suggested the ticket should go to the homeowner. Chief Conley asked if that's the answer you are giving me, so I can move forward that way. Mrs. Steiner said you have Council's backing. Mr. Jones said homeowners will complain that they told the contractor to clean up the leaves, not put them in the street. Mr. Heydorn said it is the homeowner's responsibility to give a contractor the proper orders. Mr. Plesich said maybe the first time should be a warning to the homeowner. Mr. Scott and Council agreed.

Mr. Mark Lipan, Service Director, reported we have 140 more water meters to install. We will begin installing again the second week of December.

There are four more hydrants that need to be painted around the school. They will be done tomorrow and then he will paint the white caps. The leaf and limb program is going well. Six people we hired are showing up every day.

We received 225 tons of salt. The salt barn is full.

Mr. Jones asked if we worked out the salt issue with Cuyahoga Falls Schools. Mayor said we will have legislation for the next meeting.

Mr. Sean Housley, Clerk-Treasurer, reported he has decided to place an ad looking for an assistant to fill Kim Pigman's position. Sometime within the next week or so we should be interviewing.

I mentioned in the memo I sent you that I would have a couple of reports for you where I projected what our revenues and expenditures would be through the end of this year and compared to next year's budget. This is something Chris has asked for in the past.

Mr. Housley passed out reports to Council showing what he expects our year-end revenues and expenditures to be this year to what we budgeted. Some of the numbers will be the same.

Mr. Housley reported he increased our estimated revenues as follows:

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taxes - \$75,000
utilities - \$65,000
court fines and other general government - \$30,000
property taxes - \$13,000.
other omnibus increases- \$7,000

I've put it in the system so you will see it at the end of November. I am also looking closely at the appropriations. Chris has asked me to try and predict what our expenses will be in December. After I do that I take a look at our appropriations and usually bring something to you in December asking to reduce appropriations. After looking at the appropriation numbers our wages are high due to attrition. Our benefits are high due to attrition. Our water purchases from Cuyahoga Falls is a little bit lower than expected. Simply put, I'm hoping we should be able to balance the budget this year. The current report I sent with your packets shows 2016 budgetary deficit of about \$111,000, collectively – all funds. That does not include approximate \$10,000 in reduced appropriations approved tonight. I will keep you informed between now and the end of the year. Things really look favorable and positive for the Village this year.

Miscellaneous Business

Mr. Scott said the two reports Mr. Housley passed out, what we are trying to see, the one that comes with our packet we compare budget to budget. This is what we anticipate end of the year true expenditures and receipts to be compared to what we are going to budget next year.

Mrs. Steiner asked if we were going to vote on N. Dover at the next meeting.

Mr. Scott said in the minutes we talked about maybe a final wrap up discussion on that coming in early before the meeting. I guess that could be an issue. I'm not sure where everybody stands now on that. We have legislation. If that's when we are supposed to vote on the legislation, if we are going to vote to change the legislation I guess we could amend it. I was thinking we were going to have it before this meeting.

Mrs. Steiner said we still haven't had a discussion on it. It would have been nice if we had it this meeting.

Mr. Scott said I thought at the last meeting we were going to meet early this meeting.

Mrs. Steiner asked then what are we going to do?

Discussion was held on having a budget meeting.

Mr. Scott said I don't think anybody has looked at the budget numbers yet. I asked him to give us those so we'd have some time to look it over before we had our first meeting. We can discuss maybe meeting early next time to discuss the budget as well. Maybe just talk about both of them.

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Mrs. Steiner said I think we need to discuss it.

Mr. Scott said I agree.

Mrs. Fuller said we would probably need an early meeting next time.

Mr. Scott said we will probably need an early meeting for the budget. The question is if we are going to change the legislation, how much are we going to end up changing it?

Mr. Plesich asked if there is anything stopping us from tabling it again or scheduling it out.

Mr. Scott said I don't know. I think we can probably table it again. If the next meeting we have a discussion on the N., Dover road situation and we change it enough that it doesn't make sense to amend the ordinance and we just decide to rewrite it, can we just table or cancel this legislation?

Mr. Heydorn said you have both you can do. You can postpone indefinitely the legislation if there's any out there, and that will cancel it. Or you can move to table it to bring it to discussion again. It has to have three readings unless three readings have been waived by a vote of Council. When you do that, when you get into the third reading, theoretically there is nothing that says you have to pass it on third reading, but by the same token it's been my practice forever just to make sure that if you don't pass it on third reading, that it's officially put over for consideration at some time specific.

Mr. Jones said that's what we did.

Mr. Heydorn said yes, you always have that alternative, but if you want to table it again, that's fine too, but you have to table it to a time certain.

Mrs. Steiner said she didn't want it to get lost in the shuffle. The only reason I said it is that some place it said it was coming up next time.

Mr. Scott said we are probably going to need that legislation for the next meeting.

Mr. Jones asked if we want to talk about an early meeting next time.

Mr. Scott said 5:30 p.m. is probably about as early as we can make it.

It was agreed to meet at 5:30 p.m. prior to the next regular meeting on November 21, 2016.

Mr. Housley added one more comment. Mr. Lipan has given him his capital budget. He has obtained quotes to support his estimates for some of his capital items. I could not locate it for tonight. I will send it to you in a packet if that's okay.

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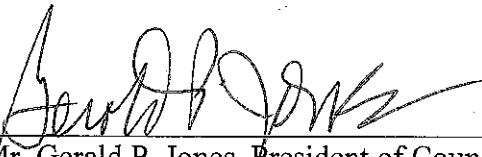
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Mr. Lipan said he obtained one quote to let Council know he wasn't pulling prices out of the air.

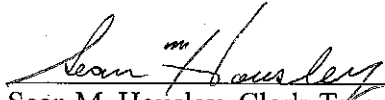
There being no further comments or questions, Council adjourned at 8:00 p.m. until the next regular meeting of Council on Monday, November 21, 2016, at 7:00 p.m. A budget meeting and discussion regarding N. Dover Road will be held at 5:30 p.m.

APPROVED



Mr. Gerald P. Jones, President of Council

ATTEST:



Sean M. Housley, Clerk-Treasurer

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prepared by: Darlene Pedicino