

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, February 6, 2017

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, February 6, 2017, 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. Gerald Jones, Mr. William Church, Mrs. Carol Steiner, and Mr. Matthew Plesich

Roll call of Council - 5 members present

Absent - Mr. Christopher Scott, Mrs. Betsy Meyer (Mr. Scott arrived at 7:52 p.m.)

Mr. Church moved and Mrs. Steiner seconded to excuse the absence of Mr. Scott and 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 January 3, 2017, Organizational 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.

Mr. Jones said there are a number of people here this evening. If you haven't been to a meeting before, this will all be read first. At that point in time we will take comments from the audience. I have to tell you, you are restricted to three minutes comments. There won't be any discussion. We will listen to what you have to say, and I know some of you are here about the gas well and about the deer and maybe something else, but those issues will be discussed at a future date. They are not on the agenda tonight, and so we are not going to get into a discussion about them. A resident came to the last meeting and complained to us because we had someone here to make a presentation about the gas well and it wasn't on the agenda. Since those two things aren't on the agenda tonight, I don't want somebody coming to the next meeting and giving me the "H" again. Anyway, we will go through the readings of the legislation.

Mr. Housley noted on Resolution No.: 06-2017, Page 2, there has been some changes to the language. I put a copy in front of all of Council and I've identified the words that have been updated in red.

In addition, number 6 on the agenda makes reference to an Executive Session. That is to be moved under Miscellaneous Business. That is going to become number 11. The amended agenda was read to Council.

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With that being said, I am going to be reading the amended ordinances and resolutions.

RESOLUTION NO.: 03-2017 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS TOTALING \$256,432.97.

Mr. Jones assigned Resolution No.: 03-2017 to the Finance & Appropriation Committee.

RESOLUTION NO.: 04-2017 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A NEW 2017 FORD EXPLORER WITH TRADE-INS FROM SARCHIONE FORD, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No: 04-2017 to the Finance & Appropriations Committee.

RESOLUTION NO.: 05-2017 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE ORDER TO FALLSWAY EQUIPMENT COMPANY FOR THE PROVISION AND INSTALLATION OF VARIOUS EQUIPMENT FOR THE 2017 FORD EXPLORER, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No: 05-2017 to the Finance & Appropriations Committee.

RESOLUTION NO.: 06-2017 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE TWO YORK FURNACES WITH INSTALLATION FOR THE VILLAGE OF SILVER LAKE ADMINISTRATION AND VILLAGE HALL, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No: 06-2017 to the Finance & Appropriations Committee.

RESOLUTION NO.: 07-2017 A RESOLUTION AUTHORIZING THE MAYOR TO EXPEND FUNDS FOR THE VILLAGE CENTENNIAL CELEBRATION, AND TO COLLECT FUNDS DEDICATED BY RESIDENTS AND PARTICIPANTS FOR THE CENTENNIAL CELEBRATION, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No: 07-2017 to the Finance & Appropriations Committee.

RESOLUTION NO.: 08-2017 A RESOLUTION AUTHORIZING THE MAYOR TO PARTICIPATE IN THE ODOT COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No: 08-2017 to the Planning, Zoning and Insurance Committee.

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RESOLUTION NO.: 09-2017 A RESOLUTION CONFIRMING THE MAYORAL REAPPOINTMENTS OF DONALD BROWN, JEFF HEINTZ, AND DENNIS STOIBER AS MEMBERS OF THE PLANNING COMMISSION OF THE VILLAGE OF SILVER LAKE FOR THE TERM ENDING DECEMBER 31, 2018, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No: 09-2017 to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 10-2017 A RESOLUTION CONFIRMING THE MAYORAL REAPPOINTMENT OF JOHN MYERS AS A MEMBER OF THE BOARD OF ZONING APPEALS REPRESENTING DISTRICT A OF THE VILLAGE OF SILVER LAKE FOR THE TERM ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No: 10-2017 to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 11-2017 A RESOLUTION CONFIRMING THE MAYORAL REAPPOINTMENT OF DOUGLAS HACHAT AS A MEMBER OF THE BOARD OF ZONING APPEALS REPRESENTING DISTRICT C OF THE VILLAGE OF SILVER LAKE FOR THE TERM ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No: 11-2017 to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 12-2017 A RESOLUTION CONFIRMING THE MAYORAL REAPPOINTMENT OF VICTORIA SCOTT TO THE CITIZENS HOUSING COMMITTEE OF THE VILLAGE OF SILVER LAKE FOR THE TERM ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No: 12-2017 to the Personnel and Public Affairs Committee.

ORDINANCE NO.: 13-2017 AN ORDINANCE AMENDING SECTIONS 1103.03, 1107.02(B) AND 1133.03 OF THE ZONING CODE OF THE VILLAGE OF SILVER LAKE, OHIO, FOR THE REGULATION OF IMPERVIOUS SURFACE COVER ON RESIDENTIALLY ZONED LOTS.

Mr. Jones assigned Ordinance No: 13-2017 to the Planning, Zoning and Insurance Committee.

RESOLUTION NO.: 14-2017 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO ASSIGN LAKE RIGHT PRIVILEGES OF VACANT SILVER LAKE ESTATES LOT #1 OWNED BY THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No: 14-2017 to the Planning, Zoning and Insurance Committee.

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Second Reading: None**Third reading:** None**Comments from the audience:**

Adrian Ackerman, 3060 Ardoon Way, said the deer population has been causing a problem. I think we all know that. I understand you have a meeting coming up and I would like to come to that. My comments this evening deal with some of the things that have been done to our property on the corner of Oakhill and Ardoon Way. This is in response to the chatter...(inaudible). It's like the old saying, everybody talks about it, but nobody does a thing about it (inaudible). In summary, we had planted a lot of flowers 30 years ago. (inaudible)

Jeff Abood, 2908 Vincent Road, thanked Council for giving him a few minutes to speak. I found out about the gas well from an article in the Falls Press. Before that I didn't have any idea, and I wrote a letter to the editor and the editor called me and said this isn't about fracking. I said who told you that. He said the Beck Company. I said well, why don't you dig deeper? Sure enough, he did. In the next issue, along with my letter to the editor, was a story stating that the well could involve fracking. After looking at the lawsuit that the City of Munroe Falls brought against the Beck Company and speaking with the Mayor, my impression is that once Silver Lake gives their permission for a well to go in, they have no more say. The State of Ohio regulations apply, but no local ordinances apply. Even if the well would go in not technically under fracking, once they get in they could still begin fracking because that's allowed by the State of Ohio. Whatever the Village does doesn't matter at that point. I think just breaking up the bedrock between the Cuyahoga River and Silver Lake isn't a good idea to do. I just wanted to say that. Thank you.

Amy Holmes, 859 Gaylord Grove Road (Cuyahoga Falls), said Mr. Abood said it all.

Barbara Oldham, 2910 Hastings Road, said I like the deer. We get excited when they come through the yard. Yes, they do eat some of the flowers, but we live in a Village that is off the beaten road. You can pull in and it's very calm and rural. In its own little way, you can look out windows, all of us in our houses, even though the houses are close, you don't have to focus on your neighbors and you have your own little piece of paradise. The deer are part of my paradise. If you want to do something, if there is any way to give them contraceptives and put some feed out, that's fine. But as far as anybody taking a crossbow and no guns, I don't like that because I can just picture a wounded deer crashing through yards. I just don't want it. My neighbor, Allison Keck behind me agrees with me.

Pam LeRose, 3093 Athens Road, said she came to listen.

Jill Schieve, 2980 Vincent, wanted to talk about the deer. I don't disagree with you. I enjoy seeing the deer. I've lived in Silver Lake my whole life. The first time I saw deer was about two

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weeks after my son was born in 1999. Prior to that, my brother saw two deer one time on Silver Lake Blvd. I love seeing the deer, but I think they are posing some dangers. The other day I was driving and I saw some people walking by the tennis courts on Silver Lake Blvd., and there was a buck, full rack, planted right next to the sidewalk. I saw people walk right past it, five feet away. The harm that could have been done to those people if it was provoked in any way. Can I share your story a little bit? You had a buck in your driveway the other day. Carol Friedman on Parkwood, had a buck recently come down her driveway and come at a dog in the neighborhood. I've seen and my husband has videotaped deer and dogs going at it. I think it's only a matter of time until it is a kid. There are some great people that are great with a bow and arrow. The principal at Roberts Middle School is a sharp shooter. He would be a great source. I know I talked to you, Carol. He would be a wonderful source of information. Somebody to talk to. He takes that very seriously. I don't disagree. It's nice to see deer, but it is dozens, and I think it's getting a little dangerous.

Mr. Jones said we will be discussing these two issues at our next Council meeting. There is a draft legislation regarding the deer. We have not put that into legislation. There is no legislation regarding the gas well at this point in time.

Mrs. Steiner asked if we would be discussing that before 7:00 p.m., because they might come at 7:00 p.m.

Mr. Jones said it would be during the regular meeting.

PERSONNEL AND PUBLIC AFFAIRS COMMITTEE – MRS. CAROL STEINER**RESOLUTION NO.: 09-2017**

Mrs. Steiner asked the Mayor if he wanted to speak to this.

Mayor said these three gentlemen currently serve on the Planning Commission. Jeff Heintz has been there forever, I think. They do an excellent job. They enforce our ordinances very well and make sure they're followed. I have no problem reappointing them.

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

RESOLUTION NO.: 10-2017

Mayor said this is a new appointment. He is a young person who brings some new fresh blood into the Village that I think is needed. He's very sharp. He's very knowledgeable in this area. In his first few months on the appeals board, the other members have said what a wonderful job he does.

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Mrs. Fuller said we'll have someone young joining us.

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

RESOLUTION NO.: 11-2017

Mayor said I can say the same thing with Doug Hachat. This will be his second term. He does a wonderful job. Suzanne tells me how impressed she is with everybody on the Board of Zoning Appeals. Again, I think he served a term as a Chairperson. I recommend him with all confidence.

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

RESOLUTION NO.: 12-2017

Mayor said Vicki Scott has served on this Board for a number of years. She serves as Chairman. She does an excellent job. She gives me excellent reports and cites exactly what ordinances are being violated. Again I recommend her being reappointed with no hesitation whatsoever.

Mrs. Fuller said we have a lot of good people and we should say thank you.

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

Mr. Jones asked Mr. Heydorn if there is any reason why Mrs. Steiner couldn't bring these Resolutions out now.

Mr. Heydorn said to stick with the regular agenda, because you have established rules in one direction.

FINANCE AND APPROPRIATIONS COMMITTEE – MR. WILLIAM CHURCH

RESOLUTION NO.: 03-2017

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

Mr. Plesich asked if it was a rental fee for the log splitter. Mr. Lipan said we purchased one because we split wood for the pavilion. It's more convenient and time saving to have our own. We probably spent about \$125 per week for rental fees.

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

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RESOLUTION NO.: 04-2017

Chief Conley said we approached three or four dealerships and two responded with a quote. Park Ford, who for the last two rotations of purchasing a vehicle had won the bid, and this time we approached Sarchione Ford. Sarchione Ford had the best pricing and gave us the best deal with the trade-in. Historically we have tried to sell the vehicle outright ourselves. What makes Sarchione bid for trade-in more appealing is the fact they do not require us to take the lettering off. We are not going to have to pay a fee to detail the car, nor are we going to have to pay a commission fee if we sell it like we have in the past on e-Bay and e-Gov. The savings alone would be several hundred dollars. Because Sarchione will take the vehicle in its current capacity, I don't even have to pay to strip out the equipment that I have had to do in the past. They will only sell it to law enforcement like agencies or security companies and they would take care of removing the decals that signify Silver Lake Police Department.

Mr. Jones asked if we will not take off anything that says Silver Lake Police Department.

Chief Conley said they will do that. They have done this with other agencies before. That's why Sarchione has been getting more business.

When I first got here, the first car that we did something similar to was with another Ford dealership, and at that time, they had promised to remove the decals and did not, and we followed up on that. This one here we are sure they will remove it.

Also, we are leaving in the old cage, light bar and siren box because they can sell that as a package deal. There is no value when we strip that out, nor can we use those specific instruments on a new vehicle because they don't fit.

Mrs. Fuller asked is there nothing that you can take from this.

Chief said what we are going to salvage is the mobile data terminal, the radio and the shotgun rack.

Mr. Jones asked what year is this car.

Chief said it is a 2011 with 105,000 plus miles.

Mr. Church said the deal itself is \$28,000 with the trade-in.

Mr. Jones said plus the equipment.

Mrs. Steiner asked if they ever bid another one for us. Have they been in the competition?

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Chief said not with us, but with other law enforcement entities. I heard about them from someone else who said they've dealt with them in the past and what made them so good was that they'll take the cruiser in the as-is condition. I've spent several hundred dollars cleaning it up so we could sell it outright. This is a far better financial deal for us.

Mr. Jones asked if this is through the State plan.

Chief said yes, they have to match the State bid or better.

Mrs. Steiner said aren't you surprised Klaben didn't give an estimate?

Chief said no. I don't know if it's because of value. I don't know what Klaben's fleet management program is like, so I don't have that answer.

Mrs. Fuller asked how you will follow up on the fact that it's going to be stripped of anything that says Silver Lake. Just because they said we'll do it?

Chief said I have no specific action to follow. I have been assured by other law enforcement entities that that is what Sarchione does with used police vehicles. They strip them and resell them as a security vehicle or for a small entity that can't afford a new car.

Mr. Jones said this car has 105,000 miles. That's not a lot of miles for a car.

Mr. Plesich asked if we purchased that car new.

Chief said yes. That's a lot of miles for a police car. The maintenance is picking up on that. We try to make them last at least five years and 100,000 miles. We've had that car for six years and we're over 100,000 miles. Since I've been here, we've replaced the cars around the five year, 100,000 mile mark.

Mr. Church asked if that is our last Crown Victoria.

Chief said he still has two in his fleet.

Mr. Jones asked what years are those.

Chief said I have a 2009, which it will be over 100,000 by next year, and a 2011, which I believe is in the 60,000's.

Mr. Jones asked why that one is so low compared to the one you're getting rid of.

Chief said they weren't bought at the same time. If you remember, one I had bought out of state that was a 2011. That I believe is the one we have right now with the lower mileage. I can't

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remember if we bought it from Alabama or Missouri. Also, the 2009, we bought from Pennsylvania.

Mrs. Fuller asked if they were used cars.

Chief said that is correct, they were. The 2009 we bought in Pennsylvania. The mileage was in the teens. The one we bought in Alabama or Missouri had 5,000 miles on it. It was a much better value buying the used vehicles at that time.

Mr. Plesich questioned why we wouldn't trade in the 2009.

Chief said it has 20,000 lower miles and I'll get another good year out of this vehicle. We've been experiencing more and more problems with the one we're trading in. It was time for that one to go. Even though it's a 2011 with a lot of miles, it's a rougher ride.

Mr. Jones asked are you trying to change the whole fleet over to SUV's.

Chief said two of the vehicles we can select from are the SUV and the Taurus. I've looked at the Taurus and had the Mayor come and look with me. The Taurus is extremely small inside with Ford trying to put all that equipment in it. There is virtually no room in the back to put a prisoner. I took the Mayor with me because I wanted him to sit in a Taurus.

I'm not saying that I won't buy a Taurus. What I'm saying is right now the better value for our agency are the SUV's. In the past, I really liked the Crown Victoria. That's why for a couple years, I explored buying low mileage used Crown Victorias because I believe they worked better for our department.

Mr. Jones asked about the Charger, which is being used by the State Patrol.

Chief said I am not a fan of the Charger. I would not consider selecting those.

Mr. Plesich asked what the price difference is between the Taurus and the Explorer.

Chief said he did not know.

Chief said the Charger is not something he would select for his fleet. I like keeping it all Fords. I think it's easier for maintenance. Especially when I have the Service Department do maintenance, they can concentrate on one type of vehicle.

Mayor said he thought the price difference was about \$2,000.

Mr. Jones asked about the price on the Charger.

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Chief said he never looked at those.

Mr. Jones asked why you don't like them. State Patrol seems to love them.

Chief said the State Highway Patrol troopers I have spoken to do not. I believe it's based on the usage of that vehicle whether that person likes it or not. The people I've talked to didn't care for them.

Mayor said I think another factor is the fact that we have all Fords makes it easier for our mechanic to work on them instead of having to learn something about lots of different makes of cars. We have limited personnel and our mechanic is more familiar with the Fords.

Mr. Church said you had this in the budget, did you not?

Chief said that is correct.

Mrs. Fuller asked if it is five years and 100,000 miles, or if these cars go longer, but it's still not at 100,000 miles, would you still keep it.

Chief said I was able to get a good six years out of the cruiser I am trading in now. It's nothing firm. These are targets I use to replace a car. If I run up to 100,000, and the car is heavily worn in four years, I would probably ask to replace it.

Mayor said I think the five years is a benchmark figure. We get them when a car starts being more trouble than it's worth – it's always breaking down, always needing repairs, and it's no longer economical for us to keep it. It's usually around five years and 100,000 miles. It's when they start being mechanically a problem.

Mrs. Fuller said it seems to me cars are lasting a lot longer and can go a lot more miles than they used to. I don't think you have to be locked into a standard five years, 100,000 miles. A lot of times a car at 150,000 miles is going fantastically well.

Chief said you have to look at the operation of the vehicle once it starts to age like that. We need a car that operates better than a car you drive normally to and from work, as opposed to police officers driving at high rates of speed and turns and such. I think that's the difference between a car someone else might own with 100,000 miles, as opposed to a police car that is used more heavily.

Mrs. Fuller said I understand it's used more heavily, but how often are you doing high rates of speed.

Chief said you would be surprised. A month doesn't go by that I'm not chasing somebody onto the freeway because they want to get away from me on Graham Road or Front Street. If somebody

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goes by me at 50 mph I have to do a U-turn. Then I have to go faster than 50 mph in a very short period of time to catch up with them. So we punch these cars pretty hard. We are not doing 100 mph, but we are using excessive speeds to catch people who are committing traffic violations.

Mrs. Fuller said I don't know, but it seems to me you are not going long distances at high speeds.

Mayor said the short distances and the high speeds are the problems. I don't see local communities driving police cars that are five, six, or seven years old. I think probably five years is the norm.

Mr. Jones said I've seen Akron and Cuyahoga Falls driving cars that are in a lot worse looking shape than ours are.

Chief said I don't understand their fleet management. This is similar to how I ran fleet management when I was in Cuyahoga Falls. They have both the Taurus and SUV's.

The Mayor said that Cuyahoga Falls buys new police cars all the time.

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

RESOLUTION NO.: 05-2017

Chief said for the last three vehicles, we have used Fallsway Equipment Company. The reason I have continued to use them is to show that I am trying to get all of our vehicles all set up and synchronized the same way – the way the light bars are set up; the way the computers are set up; the way the radar guns are set up; the shotguns; the releases, so that when one officer moves from one vehicle to another vehicle, it is similar in nature. That's very important when you are going after somebody, reaching down keeping your eye on the car and activating the lights and sirens and such.

Fallsway has always been good for us when there were small mechanical problems that needed attention. I've been very happy with their work on the last three cruisers and the packages they've put together for us.

Mr. Church said this is about a \$9,000 package. Is that what we normally pay?

Chief said yes. It was maybe \$100 or \$200 more the last time I had a cruiser fixed. They will install our current radio we take out of the car, the shotgun release, and the computer. Everything else that can't be moved over from the Crown Vic will be set up for this cruiser.

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

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RESOLUTION NO.: 06-2017

Mr. Jones asked how old the other ones are.

Mr. Lipan said 20 years.

Mr. Jones asked if we are having problems with them.

Mr. Lipan said they are being repaired two to three times a season and are not energy efficient. The price they gave us for two new ones will pay for themselves in five years.

Mr. Jones asked if you checked with the local company up the street, Brandon.

Mr. Lipan said I have had them over before. I did not call them this time.

Mrs. Fuller asked did you have Keith from Tallmadge.

Mr. Lipan replied Keith Heating, Falls Heating and Cooling, which gave me the best price, and Air Comfort. As you can see, the York that Falls Heating and Cooling proposed to us is one of the better models out there. It was the fourth best-selling furnace in 2016.

Mr. Church clarified the \$6,775 was for both.

Mr. Lipan said this quote also includes repair to the chimney. The last time the water heater was installed, they never ran a liner through the chimney. In the cold, steam will go in there and cause ice and eventually mold. It also will suck the air out of the room when trying to heat the water.

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

RESOLUTION NO.: 07-2017

Mayor said he asked Mr. Heydorn to come up with something to make it legal for residents to either buy something for the Centennial or donate for the Centennial. They can write a check and claim a tax deduction and we have some place to take care of the money instead of members of the Committee taking it home. The money can funnel through the Village funds.

Mr. Heydorn said he wanted to give credit where credit is due, and said Mr. Housley did the legal research on this. He found a couple opinions of the Attorney General that said we can do exactly what we are doing here.

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

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PLANNING, ZONING AND INSURANCE COMMITTEE - MR. WILLIAM CHURCH

RESOLUTION NO.: 08-2017

Mr. Church asked if this is a standard annual thing.

Mayor said I don't think we have done this one. It is another way to purchase things at state prices, and we have to be a member to get those prices. Mayor asked Mr. Housley to expand on that.

Mr. Housley said we have to be an approved participant in the arrangement between ODOT and whomever vendor they strike an agreement with. We have not done this with ODOT before. We did it with the Ohio Department of Administrative Services in 1995.

Mrs. Fuller said ODOT does not do a lot in the Village other than Graham Road. Is it okay to be with them year after year even if they are not working in the Village?

Mr. Housley said all this means is that we can participate in an agreement between ODOT and other vendors for the lowest bid.

Mr. Heydorn said we've done it as a resolution as opposed to an ordinance because the fellow we talked to at ODOT said he would rather us do it as a resolution because we have to reconfirm it every two years and that keeps his records going. I think Sean is going to do it every two years. For the purchasing power they have, we get to buy the same purchasing power.

Mrs. Fuller said I think that's great. I don't understand why if this has been out there for a long time, we haven't been doing it for years.

Mr. Heydorn said we've used other sources that did the same thing.

Mayor said it's the same pricing.

Mrs. Fuller said pricing is all the same. We are just going under ODOT.

Mr. Lipan asked if we have to do a resolution for the national one he joined.

Mr. Housley said I cannot remark on that and asked Mr. Lipan if the membership was created within the last few weeks.

Mr. Lipan said yes.

Mr. Housley asked Mr. Lipan if he was aware of a membership prior.

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Mr. Lipan said not that he knew of.

Mr. Housley said he would have to research it because he doesn't know.

Mr. Heydorn said what we did find is that there is one section in Chapter 9 of the Code that basically allows joint purchasing programs. I think this thing that he's talking about is one of those joint purchasing programs. This ODOT thing is found in the ODOT section of the Code, as the administrative area is in the administrative section of the Code. This one I think is in the Chapter 9 area.

Mr. Housley said he wasn't absolutely certain about membership participation. I don't know if it's the same way as ODOT, but it was talked about.

Mr. Heydorn said we probably have more work to do. You are probably okay. We need to satisfy ourselves about that whole arrangement.

Mr. Lipan said he found it was a national organization. If somebody in California wanted to bid on a truck and they belong to this organization, whatever their price was, if it was a good price, we would still get it.

Mr. Heydorn said these are entities that can go into an association for this purpose only, and I think there's enabling legislation for that.

Mr. Church said that's a good thing.

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

ORDINANCE NO.: 13-2017

Mr. Church said this was on for a first reading tonight.

Mr. Heydorn said from here this will be referred to the Planning Commission for their input. That starts a 30 day time period.

RESOLUTION NO.: 14-2017

Mrs. Steiner asked if we had a lot of bids.

One bid was received.

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This will be good for three years, at \$300 total, plus he has to pay the lake assessments, which are about \$1,000 per year.

Mayor said we are appealing the \$1,000 cost per year for lake assessments. I see no reason why that lot should pay \$1,000 per year. It's not usable. It's not buildable.

Mr. Housley said we sought bids last year and nobody bid on it. This is probably the second time we sought bids.

Mr. Scott arrived at 7:52 p.m.

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

Personnel and Public Affairs Committee – Mrs. Steiner

Mrs. Steiner stated **Resolution No.: 09-2017** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mrs. Steiner, seconded by Mrs. Fuller

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

Mrs. Steiner stated **Resolution No.: 10-2017** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mrs. Steiner, seconded by Mrs. Fuller

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

Mrs. Steiner stated **Resolution No.: 11-2017** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mrs. Steiner, seconded by Mrs. Fuller

Roll call on suspension: Yes 6 No 0

Motion to adopt by Mrs. Steiner, seconded by Mrs. Fuller

Roll call on adoption: Yes 6 No 0

Mrs. Steiner stated **Resolution No.: 12-2017** was discussed in Committee and is ready for adoption.

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Monday, February 6, 2017

7:00 p.m.

Motion to suspend the rules by Mrs. Steiner, seconded by Mrs. Fuller
 Roll call on suspension: Yes 5 No 0 Abstain 1 (Scott)
 Motion to adopt by Mrs. Steiner, seconded by Mr. Plesich
 Roll call on adoption: Yes 5 No 0 Abstain 1 (Scott)

Mrs. Steiner reported the Personnel Placement Committee met earlier this evening to discuss a recommendation from Chief Conley for a step increase for Officer Bert Johnson:

Step increase for **Officer Bert Johnson** to Step 4, from \$40,300 to \$41,308. This is a 2.5 percent increase which would take him from Step 3 to Step 4.

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

Finance and Appropriations Committee – Mr. Church

Mr. Church stated **Resolution No.: 03-2017** was discussed in Committee and is ready for adoption.

Motion to adopt by Mr. Church, seconded by Mrs. Steiner
 Roll call on adoption: Yes 5 No 0 Abstain 1 (Plesich)

Mr. Church stated **Resolution No.: 04-2017** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mr. Church, seconded by Mrs. Steiner
 Roll call on suspension: Yes 6 No 0
 Motion to adopt by Mr. Church, seconded by Mr. Plesich
 Roll call on adoption: Yes 6 No 0

Mr. Church stated **Resolution No.: 05-2017** was discussed in Committee and is ready for adoption.

Motion to suspend the rules by Mr. Church, seconded by Mr. Scott
 Roll call on suspension: Yes 6 No 0
 Motion to adopt by Mr. Church, seconded by Mrs. Steiner
 Roll call on adoption: Yes 6 No 0

Mr. Church stated **Resolution No.: 06-2017** was discussed in Committee and is ready for adoption.

Mr. Church advised Mr. Scott of the amendments to Resolution No.: 06-2017.

Motion to suspend the rules by Mr. Church, seconded by Mrs. Steiner
 Roll call on suspension: Yes 6 No 0
 Motion to adopt by Mr. Church, seconded by Mr. Scott
 Roll call on adoption: Yes 6 No 0

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7:00 p.m.

Mr. Church stated **Resolution No.: 07-2017** was discussed in Committee and is ready for adoption.

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

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Planning, Zoning and Insurance Committee – Mr. William Church

Mr. Church stated **Resolution No.: 08-2017** was discussed in Committee and is ready for adoption.

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

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Church stated **Ordinance No.: 13-2017** is a first reading and will be sent to the Planning Commission.

Mr. Church stated **Resolution No.: 14-2017** was discussed in Committee and is ready for adoption.

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

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Jones said we have two Statements of Cash Position, one for December 31, 2016, and one for January 31, 2017.

Mr. Scott asked if there were any comments.

Mr. Housley said we are reconciled through the end of 2016 and we are still reconciling January 2017.

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

Mr. Scott moved to approve the **Statement of Cash Position of January 31, 2017**, seconded by Mr. Church. All members of Council signified their approval by saying aye.

Reports of Village Officials

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**Monday, February 6, 2017****7:00 p.m.**

Mayor Hovey reported he plans to give his Annual State of the Village Address at the first meeting in March, which will be Monday, March 6, 2017.

I set a paper on each of your desks dealing with gas prices we could go in for. We have to set a price by next Monday. Several months ago Mark Burns told me that he was hoping we could get something under \$4. It appears, if we go through the end of next winter, we will get something around \$3.60, which is more than what we have right now, but is a pretty good rate, I think. This is just for your information so you can see the different things I look at.

Lastly, we have been taking several calls in the office concerning lead in the water. It all stems from an article in the paper a couple weeks ago about lead in Akron's water. A resident contacted me and wanted to know if we have lead pipes. The answer is yes. Most of our service lines are lead. As something breaks and they need repaired, we replace them with copper. We also test our water on a regular basis, and there has never, to my knowledge, been even a trace of lead in any water delivered by the Village to any home in Silver Lake.

I'm not really sure what the agenda is this person might be trying to generate, but the fact is there is no concern. We monitor it constantly. I know this person said we should replace all these lines. If she can come up with three or four million dollars to do it, then I suppose we can do it. The fact is there is no lead coming into anybody's homes through our water system.

Mr. Church asked how many complaints we had about this.

Mayor said there were three or four that contacted me and the office took a few calls. Most of the people understand. One person asked me who they should believe. I said you can believe what's written on social media if you want, or you can believe us and we have the facts.

Mrs. Steiner said it's been on Next Door Neighbor (a website) and it started with one of the ladies that was been here about the gas wells.

Mayor said we replace the lines as they break. We don't have millions of dollars to replace all of the service lines. There is no lead that has been detected in water going into any home in Silver Lake.

Mr. Scott asked Mr. Lipan where he pulls the water from when he tests.

Mr. Lipan said there are 10 residences that were picked in the 1960's or 1970's. The majority of the Village has lead service lines. When we dig to replace a water box, we'll check and see and we keep a record of that. Dick Fenwick told him the estates are definitely lead because of the time frame when the homes were built. He wasn't too sure about the rest of the Village. We've dug up water services and have found lead lines here and there. It is going to depend on what they had to use at the time of construction. The EPA has us on a three year schedule. Every three years we have to take samples from the same 10 houses. EPA requires us to give the report to the

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7:00 p.m.

residences we test. The report is available for anyone to see. It is also on the water quality report on our website.

Mrs. Fuller said other communities must also still have lead.

Mr. Lipan said yes everybody has lead.

Mrs. Steiner said they are thinking about Flint, Michigan.

Mr. Lipan said the main draw of the lead comes from the solder in people's homes. There is a certain amount of lead used for brass fittings in faucets. They've lowered it from 8 percent to 0.25 percent or less. I have to go through parts and throw them away. They all have to be stamped with "NL." The lead will leach into the lines from water sitting. The EPA tells you to flush the lines for 10-15 seconds before you use the water.

Mr. Robert Heydorn, Village Solicitor, said what they are talking about is service lines. From the main line to your service connection in the devil strip, is where the lead lines would be. From that connection to your house, if you have an old line, would be galvanized steel. If you have a new one, it would be copper. You are not talking about a lot of length of lead pipe.

Mr. Heydorn asked Mr. Lipan if he was under a mandate from the EPA to get rid of the pipes.

Mr. Lipan said as of now, no. Right now I have to take the Village map and come up with a map of where I believe the lead lines are and who has lead and copper lines. I have to have it submitted by March 9, 2017. We only replace lines when they go bad. Since I've taken over, we've replaced five or six.

Mr. Heydorn said it sounds like the EPA is assessing what, if anything needs to be done, so they are gathering data on which to develop some sort of policy. The way things are going in Washington, there will never be another regulation.

Chief John Conley had no report.

Mr. Mark Lipan, Service Director, reported when I am done with the lead and copper map, I submit it to the EPA. Once they approve it, I will have copies of the map to answer resident's questions.

Mrs. Fuller asked me about a community garden. We were going to do it on an empty lot on Vincent but there are too many trees. We can do it by the water tower. I am going to plot a 30 x 75 area. The Garden Club would have to pay for the fence.

There are 35 people left who do not have the new meters in. You may get some phone calls because orange shutoff notices are going out. If they do not call and make an appointment prior

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7:00 p.m.

to February 28, 2017, service will be terminated. We have been doing this since June, 2015. Most of the residents did not have a problem scheduling an appointment.

I will be bringing my five ton dump truck and battery backup for the red lights for the next meeting.

If you've noticed, the Village sign coming in from Cuyahoga Falls is gone. We've been fixing them every two years because the wood rotted. I found some plastic wood and new lettering to redo them.

Mr. Sean Housley, Clerk-Treasurer, reported for fiscal year 2016 our unexpended fund balance was \$4,175,000. We had an operating surplus last year of \$257,000. The unencumbered fund balance had an increase of \$147,000. When we take out the outstanding encumbrances from what our operating surplus was, we had an operating actual surplus of \$147,866, which was much better than we had anticipated. That was due in part to income taxes coming in higher than we expected. We had a \$23,000 inheritance tax settlement I wasn't expecting. Our utilities were up, court fines were up. In addition, we had \$140,000 in unexpended appropriations.

Mr. Jones asked what the current minimum monthly water charge is now. It was \$15.94.

Mr. Housley said we made some adjustments by \$1.

Mayor said Council agreed to lower the base charge by \$1 to \$14.94 and increase the storm water fee by \$2 to \$5, making it a total of \$19.94 per month for N. Dover Road residents.

Mr. Church asked what increase in revenue we've seen since almost all the water meters are in place now and Mr. Housley said about five to seven percent.

Executive Session

Mr. Church moved to enter into Executive Session to discuss Solicitor and Police Secretary compensation. Seconded by Mr. Scott.

Roll call: Ayes 6 Nays 0

Council entered Executive Session at 8:25 p.m. and reconvened in Public Session at 9:25 p.m.

Miscellaneous Business

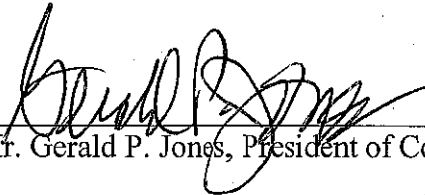
There being no further comments or questions, Council adjourned at 9:25 p.m. until the next regular meeting of Council on Tuesday, February 21, 2017, at 7:00 p.m.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE


Monday, February 6, 2017

7:00 p.m.

APPROVED


Mr. Gerald P. Jones, President of Council

ATTEST:


Sean M. Housley, Clerk-Treasurer

s:/council/2017 minutes/02-06-17 Council minutes.docx (prepared by: Darlene Pedicino)

Reviewed by: Suzanne Lipan and Kim Pigman