

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

The Village of Silver Lake Council met in a regular session on Monday, April 3, 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, Mrs. Betsy Meyer, Mr. Gerald Jones, Mr. William Church, Mrs. Carol Steiner, and Mr. Matthew Plesich

Roll call of Council - 6 members present

Absent - Mr. Christopher Scott

Mr. Jones stated Mr. Scott's mother passed away.

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

**APPROVAL OF MINUTES**

Mr. Jones asked if there were any additions or corrections to the minutes of the March 20, 2017, Regular Council meeting.

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

Mr. Jones stated, if there is anyone in attendance who wants to speak during the Council meeting after the legislation is read, you will have three minutes to speak. Please make sure you sign the sign in sheet.

Mr. Jones said Mr. Stoiber is here to answer Council's questions about Ordinance No.: 13-2017.

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

**RESOLUTION NO.: 29-2017 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS TOTALING \$87,001.66.**

Mr. Jones assigned Resolution No.: 29-2017 to the Finance & Appropriation Committee.

**RESOLUTION NO.: 30-2017 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GBC DESIGN, INC. TO PROVIDE ENGINEERING SERVICES FOR HARRIETT ROAD STORM SEWER**

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

**IMPROVEMENT IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 30-2017 to the Finance & Appropriation Committee.

**RESOLUTION NO.: 31-2017 A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 31-2017 to the Public Improvements Committee.

***Second Reading:***

**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 said Ordinance No.: 13-2107 is currently in the Planning, Zoning and Insurance Committee.

**Third reading: None**

**Comments from the audience:**

**Mr. Stan Lero, 3042 N. Oakhill Road,** thanked Council for their time. I am a deer hunter and I am opposed to culling the deer. It's a great point about the deer carcass, who is taking that. I would like to know what the plan is for the removal of the entrails once a deer has been field dressed. Are we going to force the hunter to remove that with the deer? There are some items that need further addressed as I mentioned two weeks ago. The entrails will attract other animals, coyote and birds of prey, such as vultures. As we step through this, just make sure we are all concerned with safety within the Village.

Mr. Jones said, since Mr. Stoiber is here, he would like to start with Ordinance No.; 13-2017.

**PLANNING, ZONING AND INSURANCE COMMITTEE – MR. WILLIAM CHURCH**

**ORDINANCE NO.: 13-2017**

Mr. Church stated Ordinance No.: 13-2017 addresses impervious surface cover.

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE****Monday, April 3, 2017 7:00 p.m.**

Mr. Jones said there have been some changes to the legislation since it was originally introduced, correct?

Mr. Stoiber said there are some recommendations from the Planning Commission.

Mr. Church said there is a comment on here and I realize this may not be something new from the code; however, it says the dwelling unit area means the sum of the gross floor areas above the basement level measured from the interior face of exterior walls. What does that mean?

Mr. Stoiber said that's a definition that is already in the code. That has to do with dwelling unit area. What's germane to this consideration is what the footprint area of the building is.

Mr. Church said I understand that, but I point that out because it's confusing.

Mr. Stoiber said as real estate people do, they measure from the inside of the walls. That's already in the code when we wrote something about the definition of the footprint area, it's the outside of the outside wall.

Mr. Church asked if Council has any questions.

Mrs. Steiner asked Mr. Stoiber how this has changed from our original one. Do you approve of the changes or do you think they are reasonable?

Mr. Stoiber said the Planning Commission all were in agreement that doing something to limit the amount of impervious cover is a good and worthy cause. That was the method by which we were attempting to control the amount of storm water runoff that affects both the quality of water in the lake and potential flooding during large storm events. However, pretty quickly into the conversation one of our members said we are putting some tight restrictions, especially as the lots get larger. As the lots get larger, we said less percentage is available for you to have impervious cover.

The side issue that we got in to was once we got into lots one acre and above, the amount of total maximum impervious cover got to be less than what our present allowance is just for the building footprint. Those last two areas we actually set limits for between 1 – 1½ acres it was 4,000 square feet maximum. If you were above 1½ acres, it was 6,000 square feet. That rubbed one of our members wrong, saying if somebody wants to come in and put together two or three lots and build a 10,000 square foot ranch so they can retire, they should be allowed to do that. There was a lot of back and forth to that.

At one point, one of us recommended there is another method by which you can limit the amount of runoff off a site. You can either say total maximum impervious will limit that, but there are also engineering approaches that can do the same thing. These are used in large new residential subdivisions and large commercial or educational facilities. They use detention basins, infiltration

## REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, April 3, 2017 7:00 p.m.

basins, etc. This has been the law of the land for quite some time in those larger projects, but they are not very often used on individual lots because a small lot may not have the flexibility to find a place where you can build this thing effectively and economically.

Nonetheless, that's a way to do it, so the suggestion was what if we set these maximum impervious limits and if somebody wants to build more than that, we say if you want to do that, you have an engineer create a hydrological control plan and submit it to our Village engineer for review. The intention of that plan is to say, let's say an applicant comes in and they are already up against their maximum impervious cover, but they want to build a tennis court. Instead of the 20 percent of total area they are allowed, that makes it 25 percent. They submit a hydrological control plan that essentially through engineering means takes care of that overage. Once things are constructed you still have the same runoff as if they had only 20 percent coverage. That seems like a reasonable approach and the way we're thinking of it, you could do that without having to go to the Board of Zoning Appeals. There's no variance required because you are essentially meeting the goal of having a lot that didn't shed more than 20 percent.

Mr. Church asked what is meant by even if the impediment is not total.

Mr. Stoiber said that means if you decide to pave your driveway in gravel, and to some degree, gravel allows water to siphon through, for purposes of the definition of this legislation that is still called impervious.

Mr. Church asked if there is science behind that.

Mr. Stoiber said there are places that if you want to put down brick pavers with gravel underneath, they will only count it as a percentage, perhaps 70 percent, of your area. What that does is complicate the issue, and the other thought is that for the most part those things that start off as semi-permeable eventually become impervious. To simplify everything, we say if you're building a deck, brick pavers, gravel pavers, that's all counted as impervious.

Mr. Church asked how can you count a deck as impervious.

Mr. Stoiber said by definition. Cuyahoga Falls does the same thing in theirs. If somebody has a deck and decides to put a roof over it, then it is impervious. To simplify matters, we're saying all of that stuff counts as impervious. You can exceed that if you do the hydrological control that reduces the runoff back to what it would be if you were exactly following code. The end result of all of that was that we all decided we are probably best off to keep the 18 percent for building footprint, because that would be a big shocker for somebody coming back and saying they want to build something. Our recommendation is that 18 percent remain the law of the land as far as building footprint.

In order to do that, on those larger lot sizes, we had to adjust what the MIC was. We went from 1 to 1½ acres, which had been 19 percent to 20 percent. The 1½ acres and above was 12 percent.

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE****Monday, April 3, 2017 7:00 p.m.**

We also put that up to 20 percent. We said as long as we are doing that let's combine those two, so we actually lost one of those subdivisions. The smallest, the next and the next all remain exactly as they were. The last two we combined, so it says 1 acre and above. They have a MIC of 20 percent.

Mrs. Church said you did some nice work.

Mrs. Steiner said I like the change they made. That's some minds getting together and coming up with a better solution. I think that's a good example.

Mr. Stoiber said we were at extremes, but I think nobody was interested in letting the perfect be the enemy of the good. We were concerned about the way we had it set up originally with the reduced footprints for the other sizes. One of the questions we asked was what if somebody comes in and they have the maximum size house and maximum size MIC, but they want to do something else again and if it's build a tennis court, we say okay, you can do the hydrological plan and if that's approved then it's good. The question came up what if the applicant came up and not build a tennis court, but add to their house? Should the same approach work? We got to thinking and said that takes away the BZA as a vital part of the approval process. As our Chairman noted, if you take that away, you might run into situations where there are more appeals that would go to court.

Mrs. Steiner said this is going to be grandfathered in, so if anybody is worried out there, it won't apply to houses now.

Mr. Church asked if there were any question.

Mr. Jones said Mr. Heydorn has a lot of work to do on this.

Mr. Heydorn said when you pass this you will have to have a public hearing, with 30 days' notice. I should draw up an ordinance that incorporates these changes. The existing one can be amended to incorporate these changes, assuming that can be done without calling it a complete rewrite. If it is a complete rewrite, then we have to start over. If we put the amendments in and it looks like it's about the same thing it used to be, then we can have a public hearing before the Council meeting and then go through a third reading and make the amendment on third reading and pass it. After you have the public hearing. It can't be passed as an emergency; therefore, it will be 30 days before it can be effective after the date of passage. The thing to do is once you pick a hearing date, this should be tabled until the meeting following the public hearing.

Mr. Jones asked Mr. Stoiber about submitting the plans to the Village engineer. We have an engineer but we pay them to do that. Are we going to charge that back to the resident?

Mr. Stoiber said you can make that part of the application fee.

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

Mr. Heydorn said that is normally what is done if there is engineering with the Planning Commission or Board of Zoning Appeals. In several places in the ordinance, you are required to pay the fees.

Mr. Church and Mr. Jones thanked Mr. Stoiber for coming to the Council meeting and reviewing the Planning Commission's recommendations.

Mr. Stoiber said I agree with Mrs. Steiner, I think we all had mindsets at the start and we managed to come up with something I feel good about.

Mr. Church said you did a nice job.

Mr. Jones thanked Mr. Stoiber.

Mr. Housley asked Council if they had any thoughts on when they wanted to set a public hearing date.

Mr. Jones said Mr. Heydorn has to do some work on this.

Mr. Heydorn said if you want to pick a hearing date at this time, if you can, you should, because there has to be public notice that goes out anyway.

Mr. Jones asked how far ahead should we go.

Mr. Heydorn said 30 days from the notice.

Mr. Housley said he could have something in the paper Easter Sunday (April 16, 2017).

Mr. Heydorn said if you want to put off, table, the third reading until after the public hearing, just say following the 30 day public notice. You can use that date instead of specifying a date. He'll set the date when he puts out the notice.

Mr. Church said we will table this until 30 days after the public hearing and then have the third reading.

Mr. Heydorn said you will need to bring this out so Council can vote on it.

**PUBLIC IMPROVEMENTS COMMITTEE – MRS. KAREN FULLER**

**RESOLUTION NO.: 31-2017**

Resolution No.: 31-2017 authorizes the Mayor to prepare and submit an application to participate

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as required.

Mrs. Fuller said the Village is planning to make capital improvements for the over under storm sewers and asked the Mayor for his comments.

Mayor deferred to Mr. Housley.

Mr. Housley said last year I asked Council whether you wanted me to pursue an interest rate at that time or a grant and you asked me to pursue the grant. The application for that grant is due the first week of July. I am currently working on the application with the engineer. Before we file it, I plan on having an expanded conversation with Council about what interest rates are at that time. There's still a lot I have to figure out with the type of applications and how many we can file with the State.

Mrs. Fuller said this gives us authorization to go ahead so you can apply for the grant. You can still look for low interest loans.

Mr. Housley said the deadline for the grant and/or interest free loan that's available through them, is July 7, 2017. I would have the application on file and they would evaluate it. It's competitive, and by December they let you know if you were awarded the grant or loan. If we are not awarded we fall into a small government round. They take the group that didn't get an award and reconsider them among entities of their size. That evaluation isn't done until May 2018. If we fall through both those rounds, it will be up to you to decide if you want to reapply again for a grant or if you want to consider financing it through the Ohio EPA or something like that.

Mrs. Fuller asked Mr. Lipan when is this scheduled.

Mr. Lipan said he was hoping to have it started already. We need to keep in mind that Silver Lake Blvd is crushed. Whenever we can start it would be great. There's no cleaning it out anymore because we are going right into dirt. It is the sanitary sewer. It's probably disappearing into the storm sewer.

Mrs. Fuller said the money is not coming until May of 2018 at best, and you're saying you want to start it next week.

Mr. Housley said this is a year off. We got the engineering last July and the deadline was either June 26 or the first week of July. There was not enough time. Unfortunately, it's an annual cycle with them.

Mrs. Fuller asked if anybody on Council sees anything other than going forward with this.

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

Mrs. Steiner asked if this is specific job related or can this be for anything. I'm thinking we have some other projects coming would it make more sense to make it for something in the future?

Mr. Housley said the way these work is they score you competitively and you'll get more points if you get the engineering done, which we do. You get more points if you have the Ohio EPA permit filed, which we do. If you don't have those two things and you want to apply, you may not get into that pool.

Mr. Plesich asked if we are going to hold off on the project, or apply for the grant, pay for the project and get reimbursed by the grant.

Mr. Housley said they won't obligate themselves unless you've been approved for the grant or the interest free loan. To move forward prior to that approval they are under no obligation. You could borrow money through different State agencies and probably get a really good interest rate right now.

Mr. Plesich asked what about the project?

Mr. Housley said you can't move forward and expect them to pay for it. If you want to move forward you just have to ask me to give you interest rates and make a determination if you want to pay interest or shoot for the interest free monies or the grant, which are available through this application.

Mrs. Fuller asked if we can do a two-pronged approach. You have been working on this; go ahead and apply for this. If we have to start the project before we have this money, then we've already applied for low interest rates.

Mr. Housley said I'll have to check. If you are in an emergency situation where you have to break ground I'm certain there's some money that would be available outside of this process that can be included in the application. They call it the local match or the in-kind contribution. If you do borrow money to get started on it, and let's say it is \$500,000, and the Village intends to spend \$500,000 toward the project anyway, you might be able to bring another agency in to get started.

Mr. Plesich said the question is he wants to get started in a week. We are applying for a grant that we won't get approved for until another year and a half. A week sounds like it's an emergency situation. Are we breaking ground or are we waiting a year and a half to start the project? I'm hoping we can get some grant money.

Mr. Housley said you are not going to have any determination this year.

Mr. Plesich asked I understand that, but are we starting the project as an emergency.

Mr. Jones said first we have to go out for bids.



**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

Mr. Plesich asked are we applying for a grant that we're putting all this work into and project is going to be over by the time we get it.

Mr. Housley said he's not planning on starting the project until he's heard when, unless he's told to. That's up to you guys to decide whether you want to finance it and seek bids on starting it. Maybe he just needs to get started with a piece of it.

Mr. Plesich asked if it's an emergency or if we're going to wait until 2018.

Mr. Church asked how does it hurt to start it now.

Mrs. Steiner asked if we start it and then we are approved, will they give us the money retroactively.

Mr. Housley said if you start it, I'm unaware and if they don't award it to you, it doesn't matter. However, if you start it whether or not you are still eligible, I think you can still be eligible for the competitive round. If they select you, you identify this is work in progress that you've already got Ohio EPA started. These are things I'll have to check and verify and make sure.

Mrs. Fuller said it doesn't make any sense to me to have you not apply for it and see what you get. If it's an emergency, you should also be looking for a low interest loan. It's making double work for you, but I think we should be doing both.

Mr. Housley asked Mr. Lipan if it's an emergency.

Mr. Lipan said it is crushed.

Mr. Housley said here's what you'll have to do. He's going to have to communicate that it is an emergency and that message has to be attached to whatever I do. I either need to have an engineer tell you it's an emergency and you need to break ground right away.

Mr. Heydorn said Council has the ability to declare an emergency. That's part of what they do. The real question is, and part of whether or not this is an emergency, and I think I just heard him say it, where is the sanitary sewage going now? It's going in the storm sewer. Where does the storm sewer go? It's going into Silver Lake.

Mr. Jones asked how long it would take to get bids.

Mr. Lipan said we have to go out for two or three weeks, which is the typical time. Once that is done, he has the legal stuff he has to do to finalize it. They probably have to mobilize and get all the pieces and parts.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, April 3, 2017 7:00 p.m.

Mr. Jones said the engineering is done. What was the engineer's estimate?

Mr. Lipan said \$1.9 million. That's probably high because I had them add removing any lead water services that they find.

Mr. Jones asked why can't we get started and go out for bids now.

Mr. Housley said if you are going to declare an emergency, do we have to have some form of legislation?

Mr. Heydorn said the question is what are we declaring an emergency for? It seems to me you're choosing between two methods. The one method is you are going for free money. The other method is to say we are going to pay three percent interest on this money and we're going to bond it. You are talking about three percent interest over a long term. The value judgment is whether or not three percent interest is worth a situation where you may or may not call it an emergency. That's the value judgment you have to make. The question for you is, if they go ahead and do the start, will that automatically nullify an application for a grant? Mr. Heydorn said that's the question.

Mr. Housley said I have to get the answer to that. I do not believe so, but I want to verify that.

Mr. Heydorn said if you don't care and say we can afford the three percent and this is a big enough emergency that it doesn't matter, then you march on. If you say it matters to us whether or not we pay three percent interest versus polluting the lake, then you say we'll see how this application process goes and see whether or not we're cut out of it by starting early.

Mrs. Steiner said it would be about \$57,000 for yearly interest. Mayor said he thought it would be two payments a year.

Mr. Jones said I think we ought to move on it.

Mr. Church said absolutely, we have to move on it.

Mrs. Steiner said there's no question about it.

Mrs. Fuller said I think we need to move on it too; however, if there's still the possibility of getting money retroactive, we should pass this and let him get started, but at the same time we declare an emergency.

Mr. Housley said so you are willing to pay interest to get started on this.

Mr. Jones asked if three percent is a correct number.

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

Mr. Housley said it's about right.

Mrs. Steiner asked how many years that would be over.

Mr. Housley said this type of project I think you can finance 20-30 years.

Mr. Jones asked Mr. Heydorn if we need legislation to go out for bids.

Mr. Heydorn said no. Historically we have had legislation to go out for bids. If you are saying is that a legal requirement, not really. It just depends on your acceptance of the bids. You can reject everything put in. There is charter authority for the Mayor to go out for bids and then present them to Council; you can do that.

Mr. Jones, Mr. Church and Mrs. Steiner agreed to go out for bids.

Mrs. Fuller said this legislation would be brought out for adoption this evening and then we'll go out for bids.

Mr. Housley said I think what's going to end up happening is they may pay for a percentage of it or give us some interest-free money, maybe not 100 percent, but some of it.

**FINANCE AND APPROPRIATIONS COMMITTEE – MR. WILLIAM CHURCH**

RESOLUTION NO.: 29-2017, Payment of Claims.

Mr. Church asked if there were any questions.

Mr. Jones said there was a company trimming trees and asked if that was work Ohio Edison would normally do. They cut the heart out of the tree for the wires. I thought Ohio Edison did that.

Mr. Lipan said I can't answer that. I'll find out.

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

RESOLUTION NO.: 30-2017

Resolution No.: 30-2017 is an agreement with GBC Design, Inc. to provide engineering services for Harriett Road storm sewer improvement, not to exceed \$10,000.

Mr. Church asked for any questions.

Mr. Jones asked if this is an emergency.

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

Mr. Lipan said this will be the first step to alleviate the flooding on Englewood Drive. This is going to take all the water from Englewood and disperse it where it needs to go. Right now it comes down Harriett to a 42 inch pipe and then makes a sharp 90 degree turn. It's hitting a head wall and the water actually blows out of the manhole. They will make a smooth 90 degree bend. Once it gets over to Silverview Drive, it will get dumped into a big vault. Then it will split and more water will be able to flow.

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

**Planning, Zoning and Insurance Committee – Mr. Church**

Mr. Church moved to table **Ordinance No.: 13-2017** until 30 days after the public hearing, then have the third reading. Seconded by Mrs. Steiner.

Roll call: Yes 6 No 0

**Finance and Appropriations Committee – Mr. Church**

Mr. Church stated **Resolution No.: 29-2017** was discussed in Committee and is ready for adoption.

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

Mr. Church stated **Resolution No.: 30-2017** 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

**Statement of Cash Position**

Mrs. Fuller asked if we were still doing Metro SWAT. Wasn't there a question whether we would be a pass through for SWAT and you'd be doing it.

Mr. Housley said this year, not that I know of.

Mr. Housley said we've rewritten a contract with them two or three years ago.

Mr. Church moved to accept the **Statement of Cash Position of March 31, 2017**. Seconded by Mr. Plesich

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

All members of Council signified their approval by saying aye.

**Public Improvements Committee – Mrs. Fuller**

Mrs. Fuller stated **Resolution No.: 31-2017** was discussed in Committee and is ready for adoption. We declare an emergency.

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

Roll call on suspension:      Yes    6      No    0

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

Roll call on adoption:      Yes    6      No    0

**Reports of Village Officials**

**Mayor Hovey** reported you may have heard about a big problem at a residence on Englewood Drive Tuesday morning. There was an FBI bust. I’m not at liberty to discuss the details; however, it involves a resident who was involved in a major fraud scheme. There is a connection from Arizona to Silver Lake to Boston. A couple Boston FBI agents were flown in and made the bust. I was told if you want to know about it, call the FBI. The bust went off without incident.

Mrs. Steiner asked if we were informed prior to the bust.

Mayor said he and the Chief were made aware prior to the bust. The FBI kept us informed.

I want to report on things the Centennial Committee is doing. One idea is a banner. We drove around the Village last week and there are 40-50 places we would like to hang them – on light poles, street signs. Our hope is that we will get corporate sponsorship to pay for those. There’s also talk about residents buying them if they want. Mr. Heydorn has made it clear to me that if we are going to put private businesses on public properties we have to make sure it is a donation. If we sell it to a resident for about \$40, a corporate sponsor would have to pay a lot more than that.

Mayor showed Council the banner with the logo they are using for the Centennial. It is not the logo of Silver Lake Village. We are keeping that separate. There is also going to be a flag with that design on it. Eventually we will have a form listing the cost of a banner and a flag.

Mr. Church asked if a business wants their name on that and let’s say it is \$100, does that have to be a donation?

Mayor said yes.

Mr. Heydorn said there would be something saying “sponsored by.” What they’ve done is they’ve made a donation.

## REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, April 3, 2017 7:00 p.m.

Mayor said we feel there will be several local businesses that will be willing to buy more than one of those things. Not only do they have money set aside, but that shows a commitment to the community. It will be up for a year and then we will give it to them at the end of the year.

The Centennial Committee has been meeting the third Wednesday of each month. All are welcome to come.

There is a 5K run scheduled for Saturday, June 3, 2017. The course has been mapped out. We will have the course put on the website. People will be able to register through Active.com. We are expecting probably a few hundred people. It will start at the boathouse, down Lee Road, up Hastings, around the Lake, down Kent Road and back to the boathouse. Even though Council has approved \$7,500 for Centennial expenses, we're hoping all the events pay for themselves. This race is a fundraiser, with a \$25 entry fee. There will also be a fun run incorporated for those 10 or 12 and under that day.

The gentleman from the gas well wants to know what's going on. I told him right now, nothing. He wants to know if he should drop it. I think he deserves an answer. I need from Council whether you want me to bring something forward or tell him thanks for your interest, but no interest.

We also need to make a decision on the deer issue.

Mayor complimented Mr. Lipan on the water meter program. I can't tell you how many phone calls and emails I have from residents talking about the courtesy and the professionalism of your workers. They were overflowing in their praise of them.

Mr. Lipan said there are two vacant homes still to be done.

Mayor said since the Service Department installed the meters themselves, they saved the Village about \$78,000.

Mr. Jones asked if anybody wants to give an opinion on the gas well.

Council was unanimous in expressing a "no" opinion on moving forward.

Mayor said he will tell Mr. Burns thanks for your interest.

**Mr. Robert Heydorn, Village Solicitor**, reported he provided an initial draft of an antenna ordinance to Council. If Council has any comments or questions, please contact him and he will sit down with the Mayor later this week to work on getting this into legislative form. This was a total rewrite.

Mrs. Steiner asked if this would be grandfathered in.

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

Mr. Heydorn said he included a grandfather clause, which he read aloud to Council. It will be up to determination of whether or not currently what is up is legally constructed under the old ordinance. Very little that I've seen is legally constructed.

Mr. Jones asked if in the current legislation you cannot be any closer than 10 feet.

Mr. Heydorn said that's 10 feet from the sideline. You have to get a permit. The problem is the current ordinance made an exception for antennas that were two feet in diameter or less from any regulation. This ordinance was done in an era when the small first came along. In those days, they were always being placed on the roof. We never thought there was anything wrong with a little dish on a roof. Now, the dishes have gotten a little bit bigger, they have changed the shape. Now they are oblong. That is why we have rewritten the ordinance to specifically address the placement of the dish due to the oblong size of the new dishes.

Mr. Jones said there is one in the front yard not 10 feet off the property line. What will happen if we approve this ordinance as written?

Mr. Heydorn said they will have to go through a permitting process or be subject to a zoning violation.

Mr. Jones asked if we sent out a notification we send out.

Mr. Heydorn said yes, after this is passed. It will say you have to submit an application and if you don't submit the application in a specified amount of time, then this will be enforced as a zoning violation.

Mr. Jones asked Mr. Lipan if he knows if Direct TV installers pretty much do what they want.

Mr. Lipan said they put it wherever the homeowner wants it.

Mr. Heydorn said there will always be an argument that this is the only place we could put it and still receive signals. That's something I have to look into, based on FCC regulation. I'm not sure that you could preclude someone from using dish TV. If that's the case, we built into this ordinance an appeals process. The location will be controlled by an area variance and those are relatively easy to get, but you have to go through the process for an area variance. You will have to prove that's the only location on my lot I can get a signal.

Mr. Lipan said placement is a problem because there are so many trees.

Mr. Heydorn said I'm not going to say this is going to eliminate everything in the front yard. At least you will go through a process where the Planning Commission will look at it and give them

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE****Monday, April 3, 2017 7:00 p.m.**

an appeal. The Planning Commission and/or the Board of Zoning Appeals can simply say, fine, it goes in the front yard, but you have to put shrubbery all around it except for the parabola.

Mr. Church asked if someone sells their home and they have an antenna that does not conform, do they have to take care of it before they sell?

Mr. Heydorn said I hope we will have addressed it before they sell. Even if it has been up for many years, if it is a zoning violation we are perfectly legal in telling them to take it down.

Mr. Jones said that is what we should be doing.

Mr. Heydorn said the problem is you can do that, but you want to replace it with something that's viable instead of enforcing an ordinance that's full of holes anyway.

Mr. Jones thanked Mr. Heydorn for his work.

**Chief John Conley** was absent

**Mr. Mark Lipan, Service Director**, reported we started the leaf and limb program today. There might come a time where we have to start paying for disposal of leaves and limbs like we used to. Nobody is buying them anymore for compost.

The five Village entrance signs have been redone with recycled plastic and stainless steel. Cost was about \$400 per sign. Klaben painted all of them for \$500. Mr. Lipan wanted to have the signs cleaned up for the Centennial.

Mayor said he has had at least 10 residents tell him how beautiful they are.

Mr. Plesich asked will they go back to where they were.

Mr. Lipan said yes.

I will be asking for money to do the storm sewer on Silver Lake Blvd. I am still waiting for one more quote. I asked for three; one company was too busy. I have received one so far.

Mr. Jones asked if we have come up with a paving program this year.

Mr. Lipan said I normally wait until after the spring to see how the roads heave up and sink back down. West Edgerton Road and Mayfield Road will definitely get done this year. McCormick Road is bad.

Mrs. Meyer told Mr. Lipan she likes the new signs but she misses the old raised ones.



**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, April 3, 2017 7:00 p.m.**

Mr. Jones said the load limit on Silver Lake Blvd as you come off of 59 says three ton limit. Do any of those big construction trucks exceed that?

Mr. Lipan said probably all of them do. They are going to residents' homes.

Mr. Heydorn said the load limit has exceptions built in.

**Mr. Sean Housley, Clerk-Treasurer**, reported Wichert Insurance should have the insurance renewals should be finalized in the next couple of weeks. They are planning on meeting with the Mayor and me. Hopefully by the first meeting in May we will have insurance quotes.

The Walter H. Drane Company has finalized updating the codified ordinances. Mr. Housley asked Council members to bring their books into the office for updating.

**Miscellaneous Business**

Mr. Jones Council's next meeting is April 17. He asked Council to think about the deer issue for the next meeting.

Mr. Church said what we would be voting on, essentially, is to whether or not the Village would be able to cull deer on their own property and whether or not we could grant permits.

Mr. Jones said we are not going to formally vote. It is going to be "do you want to proceed with it or not?" I know the Mayor told the audience we would not allow it in residential areas, but the draft legislation is written that way.

Mayor said that legislation was pulled from another city to get things going.

Mr. Heydorn said once you decide what a residential area is, then some of the other things that go along with it, like safety precautions, can be tighter or loosened based upon the area you are dealing with. There are people that will say you can't use archery in a small area. Others will say you can use archery on three acres, if the stand is put up in the middle of the three acres. You have to decide the basic first, which is where would such a program be done, before you get to how would it be done by a lethal method.

Mayor asked if instead of identifying residential areas, would it be good for us to identify certain areas.


Mr. Heydorn said you have to discuss those ways of doing it. My suggestion is you first decide, since the Mayor has made that the central issue. Then in those kinds of areas, what is an appropriate method? That's the second point of discussion.

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**


**Monday, April 3, 2017 7:00 p.m.**

There being no further comments or questions, Council adjourned at 8:14 p.m. until the next regular meeting of Council on Monday, April 17, 2017, at 7:00 p.m.

APPROVED

  
\_\_\_\_\_  
Mr. Gerald P. Jones, President of Council

ATTEST:

  
\_\_\_\_\_  
Sean M. Housley, Clerk-Treasurer

s:/council/2017 minutes/04-03-17 Council minutes.docx (prepared by: Darlene Pedicino)  
Reviewed by: Suzanne Lipan and Kim Pigman