

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

**Monday, June 5, 2017 7:00 p.m.**

The Village of Silver Lake Council met in a regular session on Monday, June 5, 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. Christopher Scott, Mrs. Betsy Meyer, Mr. Gerald Jones, Mrs. Carol Steiner, and Mr. Matthew Plesich

Roll call of Council - 6 members present

Absent - Mr. William Church

Mr. Scott moved and Mrs. Steiner seconded to excuse the absence of Mr. Church. 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 May 1, 2017, and May 15, 2017, Regular Council meetings.

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

**Discussion on Paul and Kirklyn Kuzdrall moral claim**

Mr. Jones asked Mr. Lipan to speak to this.

Mr. Lipan said on April 11, 2017, Roto-Rooter called us out to check the sewer because Mr. Kuzdrall had a backup. We checked our mains and they were running at the time. Then Roto-Rooter took over. They used a camera inside the resident's home and found some of the sewer pipe under his home was broken. They continued with the camera, and it was all under water. He informed me they dug close to the house to see if they could see anything else, but it was too deep. They went down by the street in the right of way. It was verified the clog was out at the street. The sewer pipe was completely collapsed from the curb, which is 22 feet deep.

Mr. Jones asked if the water was running.

Mr. Lipan said ours was running. My best guess is it happened when Roto-Rooter dug up by the street. Ours was clogged at the lateral (from the curb to the main).

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

**Monday, June 5, 2017 7:00 p.m.**

Mr. Jones asked Mr. Lipan what he thought about the claim. Mr. Jones said legally we are not obligated to do anything.

Mr. Lipan said that is correct. I talked to Mr. Musick from Roto-Rooter several times. He did inform Mr. Kuzdrall that it was probably clogged at the street, but in order to verify it, they would have to dig it up by the street. I would say it is our responsibility, but my recommendation would be half of what he is asking. They did open it up to put the cleanout in it.

Mrs. Fuller said this says no inspection was made by the Village, as no employees were available.

Mr. Lipan said that was Good Friday and we were not open. There was also no right of way permit taken out by Roto-Rooter. Mr. Musick said that was his boss's job.

Mr. Plesich asked if a private company made a repair on public property. Mr. Lipan said no. Mr. Plesich asked why then is it the Village's responsibility? Mr. Lipan said the final clog was ours, and we handled that.

Mr. Jones asked what that cost us. Mr. Lipan said he didn't have the bill yet, but probably \$25,000 to \$30,000.

Mr. Scott asked if there was more than just the clog on our part, and they would have had to dig his up anyway.

Mr. Lipan said Roto-Rooter dug up the inside of his house, but he said he was going to take care of that.

Mr. Musick said the problem still needed to be taken care of because the water was not going anywhere. He dug up to relieve the pressure.

Mr. Scott clarified the water wasn't going anywhere because of our clog in the lateral.

Mrs. Fuller asked if the homeowner did not have any issues with his pipes or drainage.

Mr. Lipan said the homeowner did have issues inside the house. The cast iron pipes rot out over time.

Mrs. Fuller asked if his pipe would not have been an issue if we didn't have a clog.

Mr. Lipan said I am not saying that. The bottom of the homeowner's pipe was rotted out, which caused a backup of solid waste.

Mrs. Steiner said it is the homeowner's responsibility from the house to the street. I would think they would be responsible for more than we are responsible for.

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

**Monday, June 5, 2017 7:00 p.m.**

Mr. Lipan said the homeowner told him the \$4,100 was the cost to dig it up. They didn't dig it up to replace all the pipe. They dug up in two spots. In one spot they couldn't replace anything because it was too deep. The second spot they put a cleanout in to relieve the pressure and verify it was our problem.

Mr. Scott clarified the pressure in the line in their yard was caused by our problem of the blockage in the lateral. The water coming into the basement was because of the old cast iron pipe that rotted and everything was backing up.

Mr. Jones asked Mr. Kuzdrall for his comments.

Mr. Kuzdrall said there are three drains in the basement. All three rose and spilled rotting soil on my basement floor. Roto-Rooter checked the other pipes in the house and replaced 16 feet of cast iron pipe at one drain. The cast iron in the rest of the house, including to the lateral, is all fine. There were no trees, no roots, nothing. They had to dig the hole to get their camera in. I was told call before you dig. Part of my fee to Roto-Rooter included money for a permit, but nobody showed up. They took some pictures they were supposed to send to Silver Lake.

Mr. Lipan said we didn't get the pictures. It was a holiday weekend.

Mr. Kuzdrall said my second concern is that you said half of \$4,100. I still have to clean up the basement, and it's been kind of a nightmare.

Mr. Kuzdrall said the estimate was \$4,100 and the final cost was \$6,900.

Mr. Plesich asked if an insurance claim was made.

Mr. Kuzdrall said it's not covered under his homeowner's policy.

Mrs. Steiner asked Mr. Lipan if it was our fault that he had this problem.

Mr. Lipan said it was our pipes that were crushed and caused it.

Mr. Plesich said it sounds like the \$4,100 was to diagnose the problem, which led to a diagnosis that there's an issue on Silver Lake Boulevard.

Mr. Lipan said this is probably the second time this has happened in the 19 years he has been here.

Mrs. Steiner said if it is our problem why are you saying to pay half?

Mr. Lipan said because the man from Roto-Rooter said he notified the homeowner that the camera was under water the whole way out, nine times out of ten it is a problem with the street.

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

**Monday, June 5, 2017 7:00 p.m.**

Mr. Heydorn said that would have prompted us to find it ourselves.

Mrs. Steiner said that doesn't answer my question. Why would we only pay half?

Mr. Heydorn said partially because we don't admit liability. That's because of sovereign immunity. It's a very fine line of things that do with sewer repairs. If all sewers just collapsed and the city accepted responsibility for that, we would wind up paying giant amounts of money, which would be paid for by the taxpayers because we'd have to tax them. That's why we have sovereign immunity. It's a policy decision on your part. If you're not liable for it, then you are paying this out of morality. How much morality you want to accept is up to you. The reason you don't pay on every claim where something we have is involved is, ultimately, you would end up with higher taxes and the public would have to pay for it. That's the reason for sovereign immunity.

Mrs. Meyer said we didn't go out that day to fix it.

Mr. Plesich said they were also notified it was a Village problem, but they soldiered on with it instead of contacting the Village.

Mr. Lipan said in an emergency we would come out.

Mr. Scott asked Mr. Kuzdrall if he was still taking in water in his basement all weekend.

Mr. Kuzdrall said once Roto-Rooter came, we started using the facilities. We were not really inconvenienced. ... (inaudible)

Mr. Heydorn said if this were a liability situation we would be settling as a liability. The fact that it's a moral claim means it is our assessment of morally what you want to do.

Mr. Plesich asked if we have to make a decision tonight.

Mr. Jones said we can take this under advisement and talk about it some more and let Mr. Kuzdrall know our results. Mr. Jones thanked Mr. Kuzdrall for coming.

**Discussion on deer**

Mr. Jones said this was not a time for public discussion, but a time for Council to make some decisions if we're going to move forward. Residents will have an opportunity later in the meeting for public comments.

Mrs. Steiner said Mr. Westerfield of ODNR gave us some good suggestions for tidying up our legislation.

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE****Monday, June 5, 2017 7:00 p.m.**

Mayor said Mr. Westerfield feels the draft Council is looking at is too specific in trying to cover all the bases. He just suggested using State guidelines for hunting. He is suggesting we reject the section Mr. Scott brought out and use the Ohio Revised Code. According to our ordinances, it is probably illegal to catch fish or mice in the Village. Anything else dealing with hunting in the Village, he is suggesting we adopt the wildlife standards.

Mrs. Steiner said there's a little bit of misunderstanding just based on a couple of letters I read that people think we will be randomly using a bow and arrow throughout the Village. We are talking about just trying it for one year in an area behind Village Hall. We are not doing it on any residential streets or any other private property.

Mr. Jones said we are not going to pass any legislation this evening. Since the hunting season doesn't start until September, we have plenty of time to massage the legislation the way we want. I think ODNR made some valid points. This is far from the final form.

Mr. Plesich said we've received a lot of feedback from residents. I spoke to someone who was involved with the Hudson deer culling program, and I would like him to come in to speak to us. He can talk to us about his experience with it from a safety standpoint, and he can answer the questions we have. He talked about being certified and the process from beginning to end.

Mrs. Fuller said she was impressed with Mr. Westerfield from ODNR. The Mayor asked for his input and he went over that legislation with a fine tooth comb. He said that's what I'm here for; to help you.

Mrs. Steiner said we should invite the gentleman from Hudson.

Mr. Jones asked Mr. Plesich to ask him to come to a meeting.

Mr. Jones asked Council to take a look at what the ODNR recommended and have this gentleman from Hudson come in and go from there.

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

**RESOLUTION NO.: 46-2017 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS TOTALING \$87,905.62.**

Mr. Jones assigned Resolution No.: 46-2017 to the Finance & Appropriation Committee.

**ORDINANCE NO.: 47-2017 AN ORDINANCE AMENDING ORDINANCE 32-2015, TO PROVIDE FOR THE ALLOCATION OF INTEREST EARNED ON VILLAGE INVESTMENTS IN THE GENERAL FUND, AND FOR THE ALLOCATION AMONG THE GENERAL FUND AND THE WATER CAPITAL, SEWER CAPITAL AND**

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

**Monday, June 5, 2017 7:00 p.m.**

**GENERAL CAPITAL IMPROVEMENT FUNDS, AS DESCRIBED HEREIN, EFFECTIVE RETROACTIVELY TO JUNE 1, 2017, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Ordinance No.: 47-2017 to the Finance & Appropriation Committee.

**ORDINANCE NO.: 48-2017 AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Ordinance No.: 48-2017 to the Finance & Appropriation Committee.

**RESOLUTION NO.: 49-2017 A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) TO PROVIDE FUNDS FOR THE 2018 LEE RD., NORTH PARK DR., LODGE AVE., AND MAIDEN LANE SANITARY SEWER REPLACEMENT PROJECT AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 49-2017 to the Public Improvements Committee.

**ORDINANCE NO.: 50-2017 AN ORDINANCE GRANTING AN EASEMENT UPON VILLAGE PROPERTY ALSO KNOWN AS HIGHLAND DRIVE, A PLATTED BUT UNCONSTRUCTED EXTENSION OF HIGHLAND DRIVE TO GRAHAM ROAD AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Ordinance No.: 50-2017 to the Planning, Zoning & Insurance Committee.

**Second reading:**

**ORDINANCE NO.: 39-2017 AN ORDINANCE AMENDING CHAPTER 1361 OF THE CODIFIED ORDINANCE OF THE VILLAGE OF SILVER LAKE, OHIO, TO REGULATE THE SIZE, LOCATION AND CONSTRUCTION OF RADIO AND TELEVISION ANTENNAS IN THE VILLAGE.**

Ordinance No.: 39-2017 had previously been assigned to the Planning, Zoning & Insurance Committee.

**Third reading: None**

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

**Monday, June 5, 2017 7:00 p.m.**

**Comments from the audience:**

Mr. Jones reminded residents they have three minutes to speak.

**Claudine Steinfurth, 2853 Lee Road,** said with regard to the deer I'd like to know what the provisions are for insurance. Will the individuals that will be doing this be self-insured or what proximity for liability we incur for them doing this on Village property. If anything were to arise, whose liability is it? What additional costs might be incurred as a result of this?

**George Hagan, 3049 Oakridge Drive,** I am concerned about the deer. I retired here and have been living here for 15 years. The biggest pleasure I have is to sit in my family room and watch the deer out back. This year was the first year I didn't see any deer in my yard. I don't think it's right for just a few people to make a decision to kill the deer. Everybody has some say so.

**Devon Feriance, 2816 Hastings Road,** said I have a similar comment tonight. There is an empty house on Hastings Road and deer used to congregate there a lot. I have only seen three deer in two months. I wondered if there was some action we weren't aware of. I do ask you for the due diligence to get some facts about how many deer are here. What effect does culling 15-20 do if you don't have a count for a starting point? I do think putting this on the ballot is the right thing to do for the community.

**Vicki Marimon, 3027 Harriett Road,** said I am not going to quit. I have spent days and weeks walking my neighborhood. The alarming thing to me is the number of people that didn't know what was going on. Many are elderly and said no, we don't want the deer killed. They asked if I could put a mark in my notebook and tell the Mayor we don't want to kill the deer. In my talking with countless neighbors, I wish I had a dollar for everyone that asked me if the Village is shooting them, because they don't see deer. When I first started coming to meetings there were 8-12 deer in my yard. Since I have been coming, I have seen two deer on two separate occasions. I don't see deer in my neighborhood anymore. I have my own theories. There may be people who are no longer feeding the deer and we don't have a problem. I'm not sure we need to cull the deer. A man from a deer management company travels the United States. He was out for months. He came in and said he would love to speak with the Mayor and Council. The Mayor told me he would not speak alone, which I understand. He said he asked four Council people to accompany him on a conference call, and those four people turned him down. I said there are more than four people on Council.

**Barbara Oldham, 2910 Hastings Road,** said I am here to find out some answers to some questions. I thought it was mentioned several meetings ago that there was a possibility the issue would be going to be a vote in the Village to see how we felt.

Mayor said that was a suggestion I asked Council to consider, but Council decided it's their job.

Mrs. Oldham said it's been said there are two herds in the Village. What are the size of the herds?

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE****Monday, June 5, 2017 7:00 p.m.**

A lot of people that complained are closer to Stow. I think those are Stow deer.

Mayor said I can't tell you the count. I have not heard anyone say two herds before. I can tell you people will generally say there are more deer in the Village than a few years ago.

Mrs. Oldham said how do we know we have a problem?

Mayor said the problem is based on what Mr. Westerfield said. From a very unscientific observation, he would think that 15-20 might thin the herd and solve the problem. I understand people complaining about eating the vegetation, but that's not a concern to me. The concern is the danger they can impose. There have been several accidents on Kent Road. There have been several elderly citizens who have stepped out of the house and felt they've been challenged. A resident called about a fawn in her yard, and every time she tried to go outside, the mother deer would go after her. There's a danger issue and a safety issue. Also I have had pictures sent to me of people's yards covered with deer feces where they can't let their kids go out and play. The issues to me are the danger and health. Regarding danger, I think the Police Chief told me there have been four incidents since January. I'd have to double check on that. If there was one accident, that is one too many.

**Susan DeChant, 3050 Harriett Road**, said my husband and I are both against the proposal on the deer. We question whether the majority of Silver Lake residents would agree with the culling. We think the Village should have a ballot issue on this and not proceed until a vote is taken by the residents. Also there should be a scientific count of how many deer are in Silver Lake, and we think this should be done before any action is taken.

**Lila Nissel, 2810 Outlook Drive**, said I've seen seven deer at a time. I live by the river, so they come from the river or the VanSise Reserve to where I live. I don't mind the deer. They eat my hostas, but so what. We've chased them out of their habitat so they have to eat something.

I have another problem. We have geese. They are a health hazard and spread germs. We have a beautiful park with a picnic table down there. You can't use it because of the droppings from all the geese. I wish you would address that sometime and take care of it. I've lived here almost 60 years, and it's gotten worse and worse.

Mr. Jones said the geese are protected by the federal government. I understand what you're saying, but we are not allowed to kill them.

**FINANCE AND APPROPRIATIONS COMMITTEE – MR. CHRISTOPHER SCOTT**

RESOLUTION NO.: 46-2017

Mr. Scott asked if there were any questions.



**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE****Monday, June 5, 2017 7:00 p.m.**

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

ORDINANCE NO.: 47-2017

Mr. Scott asked Mr. Housley to speak to this.

Mr. Housley said the only change I am going to make is how we allocate the fees and interest. The Ohio Revised Code sets the premise for how interest and fees should be allocated. It says these shall be allocated proportionately to the State mandated funds and the General Fund. Where this legislation kicks in is how Council wants to allocate those General Fund interest amounts that are received. Any allocation of interest is a gift to whatever fund you decide to put it in. The way we're currently allocating the interest is proportionately to the Water Capital, Sewer Capital and General Capital. You allocate a portion of that interest expense also to those funds. The best practice is to deposit all the interest in the General Fund like we currently are depositing and just transferring the difference to the Water, Sewer and General Capital funds. The change is instead of assigning all of the gross interest and all of the General Fund's costs to invest those dollars, you are just allocating the net difference. It's less complicated and requires less work than the original Ordinance.

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

ORDINANCE NO.: 48-2017

Mr. Scott said it looks like we have some additional costs for the police cruiser, contractual services and some trees.

Mr. Housley said we need to increase the appropriation by \$700 for the police cruiser. Also, Mr. Lipan has asked for another \$10,000 for some additional trees he is going to have taken down.

Mr. Lipan said he has about eight trees that need to come down, which will be about \$1,000 each, and we also have some high pruning that needs to be done.

Mr. Housley said he needs to increase appropriations for the Ohio EPA permit to install. I thought I could submit the application to the Ohio EPA next January, but I am submitting it this year. Also, there is another \$53,000 related to Silver Lake Boulevard (sanitary sewer improvement). That represents approximately 25 percent of the project's costs. We received some quotes for about \$210,000, which is substantially lower than what the engineer estimated at \$354,000. We discussed this in the past, and I am assuming Council is comfortable with that 25 percent match. I put that on the application and we are committed to that. Another thing we will be committed to is our down payment on the loan. I have to submit it within the next four weeks. I am required to

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE****Monday, June 5, 2017 7:00 p.m.**

certify that we will adjust the sewer rates to whomever is lending us the money for the Silver Lake Boulevard project. These projects mean sometime in the future, sewer rates will be going up.

Mr. Scott asked if the 25 percent down gets us a little more leverage with the State.

Mr. Housley said not necessarily. What the 25 percent does is lower the net cost to the community especially with the Silver Lake Boulevard project. You should get some more leverage with the Lee Road project. That's not part of this \$53,000. That is going to be 25 percent of about \$1.5 million.

Mrs. Fuller explained for the residents in the audience when we are talking about the Silver Lake Boulevard project, this is not the Kuzdrall project (moral claim). This is entirely different.

Mr. Housley said the Ohio EPA had some changes to the Silver Lake Boulevard plans. The engineer is working on resubmitting and getting it approved. All that has to be looked at by the vendor before it can be finalized. That's another two to four weeks away.

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

**STATEMENT OF CASH POSITION**

Mr. Housley said for all funds, we are about 42 percent of the way through the year. In revenue we've collected about 45 percent. In expenditures we are at about 37 percent. We're slightly under that 42 percent, but we have a lot of costs ahead of us.

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

**PUBLIC IMPROVEMENTS COMMITTEE – MRS. KAREN FULLER****RESOLUTION NO.: 49-2017**

Mrs. Fuller said this is regarding an application for the 2018 Lee Road, North Park Drive, Lodge Avenue and Maiden Lane sanitary sewer replacement. You are looking for funding for us.

Mr. Housley said earlier this year you approved a combined project because Silver Lake Boulevard was piggybacked with the Lee Road project. It has been taken apart. The Lee Road project has its own name now. This legislation is specifically for that Lee Road project. This is giving the Mayor authorization to apply for financing. The application is due July 7, 2017, and we have about two weeks to work this through. I will go over it with you at the next meeting. The application will have 25 percent down. We are applying for 50 percent at zero interest financing and a 50 percent grant.

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

**Monday, June 5, 2017 7:00 p.m.**

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

**PLANNING, ZONING AND INSURANCE COMMITTEE – MR. CHRIS SCOTT**

ORDINANCE NO.: 50-2017

Mr. Scott said this is regarding granting an easement on an unconstructed extension of Highland Lane to Graham Road.

Mr. Heydorn asked this be put on first reading tonight. It appears this property is subject to more negotiation with the Trustees of Silver Lake Estates. We have a strip of unplatted road, which is called a paper street. It was never built upon, so it is our property because it was dedicated. It's not a street. It is just their driveway to their house. That lane goes to Graham Road. On each side of our platted road there are narrow strips of land that belong to the Estates. At one time that lane was probably a strip that was under the Estates' control. There are several areas like that throughout the Village. The driveway to this home was built across the Trustees property and our platted street when the home was built in the 1960's. The property changed hands in the past, but title companies had not raised a fuss about it. The current homeowner wants to sell, and the title company is saying you can't be in a situation where your driveway belongs to someone else. That's why they started negotiating for an easement. The Mayor would like to give an easement on the property because it's useless to the Village. The escrow officer wants to hold off on this until we see what the Trustees want to do.

This Ordinance will held for second reading.

ORDINANCE NO.: 39-2017

Mr. Scott said we changed the legislation a little bit.

Mayor said as far as I know we are still waiting for changes from the Planning Commission. They had some issues with some of it. It boils down to we don't want them in front yards.

Mr. Heydorn said the Planning Commission has done some preliminary work and this is the first draft.

Mr. Scott asked in the future, if someone is going to put up a satellite dish or radio antenna, they will have to get a permit, correct?

Mr. Jones, Mrs. Meyer and Mr. Plesich said the existing ordinance requires that.

Mr. Heydorn said their phrase says it would be for prospective applications only. I assume that means what is remains, and in the future it will be different.

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

**Monday, June 5, 2017 7:00 p.m.**

Mayor said they actually don't want people to go to Planning and Zoning to get a satellite dish. They want that to be an administrative function.

Mr. Scott said that makes sense, but we obviously want to control dishes not being put in the front yard.

Mr. Heydorn said if it's the case that a dish has to be put in the front yard, I suggested something to be put around it or make it attractive in some way. That basic function is not one that is an administrative function. The Building Inspector is not going to do that. The Planning Commission does that all the time. They develop screening. I think the process they are talking about is not in the front yard at all.

Mr. Scott asked what if somebody wants to put one in their backyard.

Mr. Heydorn said they would just have to get a permit.

Mr. Heydorn said you need to have a public hearing on this before the third reading. I think what you might do is table this to a time certain after the public hearing and input from the Planning Commission.

The Ordinance will be tabled.

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

Mr. Scott stated **Resolution No.: 46-2017** was discussed in Committee and is ready for adoption.

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

Mr. Scott stated **Ordinance No.: 47-2017** 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    6        No    0  
Motion to adopt by Mr. Scott, seconded by Mrs. Meyer  
Roll call on adoption:        Yes    6        No    0

Mr. Scott stated **Ordinance No.: 48-2017** was discussed in Committee and is ready for adoption.

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

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

**Monday, June 5, 2017 7:00 p.m.**

Mr. Scott moved to accept the **Statement of Cash Position of May 31, 2017**, seconded by Mrs. Meyer. All members of Council signified their approval by saying aye.

**Planning, Zoning and Insurance Committee - Mr. Scott**

Mr. Scott stated **Ordinance No.: 50-2017** was discussed in Committee and will be held for second reading.

Mr. Scott moved to table **Ordinance No.: 39-2017** to a time certain after the public hearing and input from the Planning Commission, seconded by Mrs. Meyer.

Roll call on motion:            Yes    6        No    0

**Public Improvements Committee - Mrs. Fuller**

Mrs. Fuller stated **Resolution No.: 49-2017** was discussed in Committee and is ready for adoption.

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. Steiner

Roll call on adoption:        Yes    6        No    0

**Personnel Placement Committee**

Mrs. Steiner said the Committee met earlier this evening and is recommending placement of **Lieutenant Andre S. Justice** from Lieutenant Step 9 to Lieutenant Step 10, \$59,214, 2.499 percent increase, effective May 19, 2107.

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

**Reports of Village Officials**

Mr. Jones said Donna Jennings, 2925 Thomas Drive, submitted a letter regarding the deer to the Mayor. Mr. Jones submitted the letter to Mr. Housley for the record.

**Mayor Hovey** reported we held the first 5K race Saturday morning. We had 74 participants. Anybody involved in organizing the race had never done that before, but it came off great. We added about \$600 - \$800 to the Centennial Committee funds. The next Centennial event will be a pancake breakfast in September. A mum sale through the Church will be held in the fall.

Lieutenant Justice would speak tonight, as Chief Conley was absent.

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE****Monday, June 5, 2017 7:00 p.m.**

We were well pleased with the bids that came in, which were over \$100,000 less than the engineer's estimate. We are hoping that's going to be a trend for the Lee Road project also.

I received a call regarding the two lots on Kent Road. The owner may want to donate them to the Village, but I have to talk to Mr. Heydorn about how the procedure works and with Mr. Lipan to see if we have a use for them. Then I will have to see if Council wants to accept them. You may be hearing some things about these lots.

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

Mr. Jones asked Mr. Heydorn about the letter from All State Insurance that they will not pay for a claim. A driver hit a fire plug, but had a medical emergency. Mr. Heydorn said he is working on it.

**Lieutenant Steve Justice** reported Chief Conley was involved in car accident last Wednesday on the way home from work when someone pulled out in front of him. He sustained a broken and dislocated ankle. The prognosis is six to ten weeks. He's confident he'll be back in six weeks.

**Mr. Mark Lipan, Service Director**, reported H.M. Miller was the lowest bid for the sewer project on Silver Lake Boulevard, at \$210,000. They know the Village, so they know what they're in for.

We have bid openings tomorrow for asphalt.

Hydrant flushing is complete. One hydrant was rebuilt, and we have four or five more to be rebuilt. We are going to start crack sealing some of the streets next week. This week we are repairing catch basins and jetting some sewers.

We are in the process of getting the Peterbuilt cleaned up so we can get it on the website to sell.

I will be bringing legislation to you next time for the leaf machine.

Mr. Scott asked Mr. Lipan if he knew when the State was going to start on Kent Road. Mr. Lipan said he put a call in, but he has not heard back from them.

Mr. Jones asked Mr. Heydorn about the home on Graham Road. At the last meeting you said maybe the only way to get people to move on that was to increase the fines. I wondered how long ago those fines we currently have were adjusted.

Mr. Heydorn said that probably goes back to the Citizens Housing Committee, which would be about 1970 when it was established. This group recommends to the Mayor what should be done. They didn't think they'd get to the fine stage. The fines are like minor misdemeanors.

Mr. Jones said we ought to look at the fines and bring them up to today's world.

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

**Monday, June 5, 2017 7:00 p.m.**

Mr. Heydorn said he would write some legislation.

**Mr. Sean Housley, Clerk-Treasurer**, reported a second subpoena will be issued by my office for non-filing taxpayers (RITA) from the 2016 program. Seventy-five will be hand delivered. The next step after that will be to turn any non-compliant taxpayers over to the prosecutor's office. We started out with a little over 200 and now have 75. I imagine even a high percentage of the 75 are people that have moved out, and we won't know for sure until we hand deliver them.

**Miscellaneous Business**

Mr. Jones said our next meeting will be June 19, 2017 and then July 3, 2017. In the past in August we have only had one meeting, which is what the Charter calls for. Unless there is some objection, I am recommending we not have a meeting on July 3, 2017, and only have one meeting in July.

Mr. Heydorn asked if there would be two meetings in August. Mr. Jones did not know yet.

Mr. Scott said he took a call regarding speeding on Landon Drive. The resident said drivers are keeping up their speed after they get off the highway on Route 59 and asked us to keep an eye out for that.

Mrs. Steiner commented she has not seen any deer either.

Mrs. Fuller said she will be moving July 20, 2017. If you want me here, I am good to go through July 17, 2017, but it's time to take applications for my replacement.

Mr. Jones said coming down Ivanhoe Road toward Parkwood Drive, both of them have yield signs. When you're going to go right on Parkwood, it's very difficult to see what's coming down Parkwood because of an island with a tree. Mr. Lipan said as of the other day, the tree was gone.

The other thing is when you get on Parkwood and stop at Hastings Road, it is a two-way stop and people are driving pretty fast on Hastings Road. The next stop is a four-way stop on a street that I don't think is as heavily traveled as Hastings Road. Mr. Jones asked that we take a look at these two situations and see if there's something that should be done.

Mrs. Steiner asked what we were going to do about advertising for the Council vacancy.

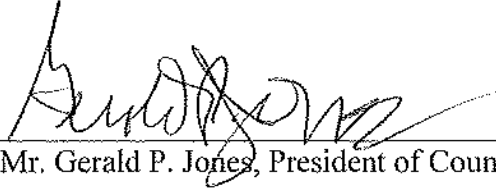
Mr. Jones suggested the Falls News Press put something in that Mrs. Fuller has notified us that July 17, 2017, will be her last meeting, and if anybody has any interest, they can send their letter or resume to me at Village Hall or my Village email. They have to be from District C.

There being no further comments or questions, Council adjourned at 8:30 p.m. until the next regular meeting of Council on Monday, June 19, 2017, at 7:00 p.m.

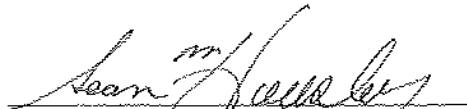
REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, June 5, 2017 7:00 p.m.

APPROVED

  
Mr. Gerald P. Jones, President of Council

ATTEST:

  
Sean M. Housley, Clerk-Treasurer

s:/council/2017 minutes/06-05-17 Council minutes.docx (prepared by: Darlene Pedicino)  
Reviewed by: Suzanne Lipan





