

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**Monday, December 4, 2017 7:00 p.m.**

The Village of Silver Lake Council met in a regular session on Monday December 4, 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: Mr. Tim Nichols, Mr. Christopher Scott, Mrs. Betsy Meyer, Mr. Gerald Jones, Mr. William Church, and Mrs. Carol Steiner

Roll call of Council - 6 members present

Absent – Mr. Matthew Plesich

Mr. Church moved and Mr. Nichols seconded to excuse the absence of Mr. Plesich. All members signified their approval by saying aye.

APPROVAL OF MINUTES

Mayor said on Page 9, regarding the electric aggregation program, the figure of \$7,500 should be \$75,000.

There being no further additions or corrections, the minutes of November 20, 2017, were approved as amended.

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

RESOLUTION NO.: 109-2017 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS TOTALING \$73,179.27.

Mr. Jones assigned Resolution No.: 109-2017 to the Finance & Appropriations Committee.

SECOND READING: None

THIRD READING: None

TABLED UNTIL DECEMBER 4, 2017:

ORDINANCE NO.: 89-2017 (As Amended), AN ORDINANCE AMENDING CHAPTER 1165 AND 1361, AND REPEALING SECTION 1133.04(e), OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE, OHIO, TO REGULATE THE SIZE, LOCATION AND CONSTRUCTION OF RADIO AND TELEVISION ANTENNAS

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Ordinance No.: 89-2017 was previously assigned to the Planning, Zoning and Insurance Committee.

Comments from the audience:

Mr. Fred Johnson, 2943 Overlook Road, 18 year resident and Silver Lake Estates Trustee, said I am joined by two other Trustees, Dave McDermott and Mike Walker, this evening, along with advisor, Mr. Gary Kinsey. I occasionally attend Council meetings and on November 20, 2017, I was particularly glad I was in attendance. At the conclusion of the meeting Mr. Lipan reported on the progress of the sewer project on Silver Lake Boulevard. He reported four of eight properties were discovered to be dumping sanitary sewer into the storm system going directly into the lake. I wasn't certain I heard it correctly, so I emailed the next day. Mr. Lipan confirmed that information to be factual and, most importantly, had been corrected.

We know what happened; now we need to know how it happened to prevent any recurrence. The obvious question was could this be occurring elsewhere in the Village? The answer was yes, and the area in question was identified and quantified. Up to 48 additional homes have similar potential. We discussed remediation, and he was very supportive, showing me maps of the possible candidates. I told him I would formalize our discussion in a letter, and he encouraged me to copy the Mayor and Council, which I did. I hope each of you had an opportunity to review it.

I am here tonight to urge you to take quick action to fund, identify and test any additional properties in need of correction. The residents of Silver Lake Estates have invested in excess of \$200,000 in water quality over the last five years. I want to thank each of you for your service to the community. You have handled some tough issues over the years. This one is simple.

Barbara Oldham, 2910 Hastings Road, said I am questioning the schedule for leaf pickup we have used for years, and I would like to have us think about starting a week later and going a week longer. We have trees in our backyard with most of their leaves still on them. I would like to put that out for next year, as it seems very few people have leaves out the first week. Also, I wondered why the day after Thanksgiving there was no leaf pickup.

Mayor said it's a holiday and our employees are not in that day.

Mrs. Oldham said we might want to rethink that for leaf time. In Akron on Saturday after Thanksgiving, they were still doing leaf pickup after dark. I know they're a bigger place, but I think if we're having four days off at Thanksgiving, we have to make those days up somehow. That's what I would encourage us to think about for the future.

Also, we opted out of the gas aggregation program in March, but we were still in through August. They keep telling us we're out and we want to be on the SCO plan. I don't know if other people

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in the Village are having problems. The last thing they told us was that we were out as of July, then they said the Village put us back in.

Mayor said if you contacted Dominion for the SCO plan, they are supposed to handle everything for you. The Village would not be involved in that whatsoever.

Mrs. Oldham said the last message they left us was that the Village put us back in the aggregate.

Mayor said I will check on that tomorrow, but I can almost assure you that did not happen.

Mayor said the discussion about when to start and end the leaf program will be held next year. I can tell you I received several phone calls in the middle of September asking us to start the leaf program.

Mrs. Oldham said we can start early, but there are people like us that have a lot of trees. Just extend it.

Mayor said we will do what we can, but there are other issues with extending it.

Another resident commented that other communities, such as Hudson, have extended their program.

Mayor said it is hard to predict, but in other communities you are given a couple days a month leaves are picked up. We go around every day.

FINANCE AND APPROPRIATIONS COMMITTEE – MR. SCOTT

RESOLUTION NO.: 109-2017

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

STATEMENT OF CASH POSITION

Mr. Scott asked Mr. Housley for his comments.

Mr. Housley said as of the last meeting we were not reconciled, and we have now found the \$350 which was unreconciled.

Mr. Nichols asked if the year will come in over budget.

Mr. Housley said the summary provided to Council shows we will probably spend less than budgeted and come in substantially better than we thought. In the sewer fund I am estimating we

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are going to collect the amount of the sewer improvement project this year. If you were to take that revenue out of there, that projection would look a lot worse. I just received some of the invoices, and many will be billed before the end of the year, but we will not be reimbursed from the State by that time. We will not get money for our loan until next year. For that reason, in the sewer fund we may end up spending more from the reserves than we're forecasting.

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

PLANNING, ZONING AND INSURANCE COMMITTEE – Mr. Church

ORDINANCE NO.: 89-2017 (Tabled until December 4, 2017)

Mr. Church asked for questions or comments regarding the amended ordinance.

Mr. Heydorn explained the amendments. If it's on the roof it does not require a permit. If it's off the roof you are into a permitting process. In the front yard it is a conditionally permitted use.

Mr. Jones asked if existing dishes/antennas are grandfathered if they're in the front yard.

Mr. Heydorn said I don't think any existing antenna will be grandfathered.

Mr. Church asked what the conditions are for a grandfather clause. Can we do a blanket grandfather clause?

Mr. Heydorn said if you want to, you can say that anything constructed now is not subject to these regulations. That would grandfather everybody. Mr. Heydorn explained further the particulars involved.

Mr. Scott said this whole process started because of complaints regarding them being in the front yard. I agree that they are unsightly in the front yard and we should make them go through a conditional use process. My only concern at this point is we are now saying it's okay to have them on the front of your roof. To me that is just as unsightly, if not more so, as seeing them in the front yard. If it's going to be a conditional use in the front yard, you will have to screen it, but you can't screen it on your roof. One of my biggest concerns is that we started with people not wanting to see them in the front yard, but now we're saying if you put it on the roof anywhere you're fine. I would rather have somebody put it in the backyard than on the front of the roof.

Mr. Heydorn asked are you suggesting we make the front of the roof a conditional use.

Mr. Scott said that's what I said last time.

Mrs. Meyer agreed with Mr. Scott.

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Mr. Church said if the reception was not adequate on the back of the house or anywhere else in the yard, and the only place you could put it was on the front of the roof, you're saying now you'd like to see a permit for that.

Mr. Scott said no. I'm saying we started this with not wanting to see them in the front yard. We started not even wanting to allow a conditional use on that. Now we've morphed over to say if that's the only place, and they can get approval, that's okay. You also added the caveat last week they can put it on the front of the roof if they want. That to me takes this and blows the whole purpose of this out. As I've said in the past, I think some of this in the backyard we've sort of run over that. I still think the front of the roof is more unsightly than the front of the yard.

Mrs. Steiner said I think the people complaining are looking out their front window at their neighbor's front yard. I don't think anybody is sitting in their home looking at their neighbor's roof.

Mr. Scott said when I look out I see my neighbor's roof.

Mrs. Steiner said that doesn't bother me if it's on the roof. What bothers me is if I'm pulling into my driveway. That's just my opinion.

Mr. Scott said my opinion is that it bothers me on the roof.

Mr. Church said it's in the eyes of the beholder. What is the pleasure of Council this evening? Council agreed to bring the Ordinance No.: 89-217 out for adoption this evening.

Motion to adopt by Mr. Church, seconded by Mrs. Steiner
 Motion to amend per the amended version presented this evening by Mr. Church, seconded by Mrs. Steiner
 Roll call on amendment: Yes 6 No 0
 Roll call on adoption: Yes 4 No 2 (Scott, Meyer)
 Ordinance adopted as amended.

Finance and Appropriations – Mr. Scott

Mr. Scott stated **Resolution No.: 109-2017** was discussed in Committee and is ready for adoption.

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

Motion to accept the **Statement of Cash Position of November 30, 2017**, by Mr. Scott, seconded by Mrs. Meyer. All members signified their approval by saying aye.

Reports of Village Officials

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Mayor Hovey reported as a follow up to my comments about electric aggregation from the last meeting, I have contracts with me which mirror the agreement we signed with Mark Burns, Independent Energy Consultants, for another two years, and with Constellation Energy. I am handing them over to Mr. Heydorn. They mirror what we have done before, so I assume they're all right, but as soon as he gives me the okay, I will sign those contracts. The new electric price will take effect in April, 2018, at a price of 5.21 cents per kilowatt hour, for a three year contract. This is lower than Ohio Edison, which is about 6.00 cents. It's lower than what we currently pay. I also talked with Mark Burns about the gas aggregation which ends in April, 2018. If we sign now we would get it for \$3.26, as opposed to \$3.63 currently. He believes it is going to continue to go down, so he's advising me to wait a while a longer, as are other communities in the area.

The leaf program is extended through Wednesday, December 6, 2017. Anything out on the curb on Wednesday will be picked up Thursday and Friday. I asked Mr. Lipan to document the streets, once completed, by date and time.

We have a Cuyahoga Falls High School student observing us tonight seeing government in action.

Mr. Jones clarified if residents put leaves out through Wednesday they will be picked up.

Mayor added starting Thursday we will do every street one last time.

Mr. Church said I agree with Mrs. Oldham's position on leaf collection. If necessary I would think we would extend it if we need to.

Mayor said there are other factors that involve the Service Department, and if they are collecting leaves, they cannot accomplish other things. We only have six employees in Service,

Mr. Robert Heydorn, Village Solicitor, (inaudible) commented on the leaf program and that some tree are just dropping their leaves now.

Mr. Mark Lipan, Service Director, reported the sewer project is done. The storm sewer is also complete.

I also changed the lights in the service garage to LED. For the past month the bill went from \$1,000 last year to \$700 this year.

Mr. Church asked about the sewage problem on Silver Lake Boulevard. It is my understanding you are getting bids for smoke testing on these homes.

Mr. Lipan said we are probably going to start off with dye testing. The ones that are visible have been tested by the County. There are storm sewers under water. If they're under water constantly, we can't test them.

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Discussion held on testing. It was determined on the initial four homes the lateral for sanitary was hooked up incorrectly to the storm sewer. Discussion held on who is responsible to correct the situation. Mr. Lipan said it would probably behoove us to correct those connections if the same problem is found on other areas surrounding the lake. We will probably begin testing around the beginning of the year.

Mr. Nichols said he thought it was implied this was more of a minor problem and did not involve many homes. Mr. Lipan said we don't know yet. There are a couple more streets we could test, including Athens and Markle around the lake.

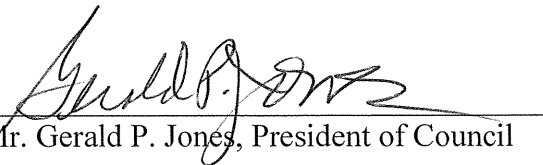
Discussion continued on testing, with Council, Mr. McDermott and Mr. Michael Walker, 2918 Silver Lake Boulevard, adding comments. Mr. Walker referenced the EnviroScience testing for e-coli.

Mr. Sean Housley, Clerk-Treasurer, reported I want to give the ladies in the Administrative Office some credit. They have been very busy this year, with the Centennial program and a lot of other things. I just want to say Suzanne, Kim, and our new employee, Tricia, have been doing a lot of good work and have been very helpful with different things. I want to mention Kim, for example, who has spent a lot of hours in the past three weeks. In addition to the Centennial Program, she keeps the web page up and was working to reconcile the \$350. Since she has been in that position she has not had to give me the bank reconciliation before this month. Prior to that, I was asked to help reconcile about half the time. Kim has been doing a great job.

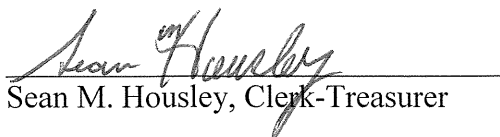
Miscellaneous Business

There being no further comments or questions, Council adjourned at 7:58 p.m. until the next regular meeting of Council on Monday December 18, 2017, at 7:00 p.m.

APPROVED:


Mr. Gerald P. Jones, President of Council

ATTEST:


Sean M. Housley, Clerk-Treasurer

(Prepared by: Darlene Pedicino)
Reviewed by: Suzanne Lipan and Kim Pigman

VILLAGE OF SILVER LAKE

COUNCIL MEETING SIGN-IN SHEET

DATE: ~~12/0/17~~ 12-4-2017

PLEASE REMEMBER YOUR NUMBER

NAME (Please Print)	ADDRESS	CONCERN
1. Fred D. Johnson	2943 Overlook	Sewer 15500
2. Barbara Oldham	2910 Hastings	LEAF PICK-UP
3. Sarah [unclear]	3108 Mayfield	
4. Devin M. DeRosa	3079 SLB	SEWER ISSUES
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20. Michael Walker	2918 SLB	