

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 19, 2019

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Tuesday, February 19, 2019, 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, Mrs. Betsy Meyer, Mr. Gerald Jones, Mr. William Church, Mrs. Therese Dunphy, and Mr. Matthew Plesich

Roll call of Council - 6 members present

Absent - Mr. Dann Nivens

Mr. Church moved and Mrs. Dunphy seconded to excuse the absence of Mr. Nivens. All members signified approval by saying aye.

There being no additions or corrections, the minutes of January 22, 2019, were approved as submitted.

There being no additions or corrections, the minutes of February 4, 2019, were approved as submitted.

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

RESOLUTION NO.: 09-2019 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE VILLAGE OF SILVER LAKE TO SUPPLEMENT THE LEE ROAD PROJECT (#8105), RELATED TO CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED \$100,000 FOR WASTEWATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.

Finance & Appropriations

ORDINANCE NO.: 10-2019 AN ORDINANCE TO AMEND APPROPRIATIONS FOR EXPENSES AND EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019, RATIFYING CERTAIN ENCUMBRANCES RELATED TO SUCH APPROPRIATIONS, AND DECLARING AN EMERGENCY.

Finance & Appropriations

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RESOLUTION NO.: 11-2019 A RESOLUTION AUTHORIZING THE VILLAGE OF SILVER LAKE TO SELL A 2004 CHEVY 3500 1 TON DUMP TRUCK WITH 10' SNOWPLOW PREVIOUSLY USED IN THE SERVICE DEPARTMENT AS UNNEEDED EQUIPMENT/PROPERTY BY INTERNET AUCTION, PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

Finance & Appropriations

RESOLUTION NO.: 12-2019 A RESOLUTION AUTHORIZING THE VILLAGE OF SILVER LAKE TO SELL A 2001 DODGE DAKOTA PICKUP PREVIOUSLY USED IN THE SERVICE DEPARTMENT AS UNNEEDED EQUIPMENT/PROPERTY BY INTERNET AUCTION, PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

Finance & Appropriations

RESOLUTION NO.: 13-2019 A RESOLUTION AUTHORIZING AN EXTENDED TIME PERIOD FOR THE PLANNING COMMISSION TO CONSIDER AND ACT UPON ORDINANCE 80-2018, WHICH, IF PASSED, REZONES THE PROPERTY NOW UTILIZED FOR THE SILVER LAKE ELEMENTARY SCHOOL FROM AN INSTITUTIONAL ZONING DISTRICT TO A RESIDENTIAL ZONING DISTRICT, AND DECLARING AN EMERGENCY.

Planning, Zoning, and Insurance

SECOND READING:

RESOLUTION NO.: 04-2019 A RESOLUTION AUTHORIZING THE RENEWAL OF A CONTRACT WITH KIMBLE COMPANIES, INC. FOR SOLID WASTE REMOVAL IN THE VILLAGE OF SILVER LAKE FOR AN ADDITIONAL FIVE-YEAR TERM COMMENCING APRIL 1, 2019, AND ENDING MARCH 31, 2023, AND DECLARING AN EMERGENCY.

Finance & Appropriations

ORDINANCE NO.: 05-2019 AN ORDINANCE AMENDING THE SALARY ORDINANCE TO PROVIDE A SYSTEM OF REIMBURSEMENT FOR UNIFORM EXPENSES OF A VILLAGE POLICE OFFICER, AND DECLARING AN EMERGENCY.

Finance & Appropriations

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RESOLUTION NO.: 07-2019 A RESOLUTION APPROVING THE FORM OF THE “SUMMIT COUNTY – AKRON REGIONAL RADIO SYSTEM USER AGREEMENT,” FOR THE USE AND MAINTENANCE OF A COUNTY-WIDE REGIONAL RADIO SYSTEM, AND AUTHORIZING THE MAYOR TO EXECUTE THE USER AGREEMENT FOR A FIVE (5) YEAR TERM COMMENCING MAY 1, 2019, WITH FOUR OPTIONS TO RENEW FOR AN ADDITIONAL FIVE YEARS EACH FOR THE VILLAGE OF SILVER LAKE’S USE OF SAID RADIO SYSTEM, AND DECLARING AN EMERGENCY.

Planning, Zoning, and Insurance

THIRD READING: None

Comments from the audience: None

FINANCE AND APPROPRIATIONS COMMITTEE – MR. CHURCH

RESOLUTION NO.: 04-2019

Mr. David Justus, Corporate Sales Director, Kimble Companies, Inc, was present.

Mr. Church said Council has discussed this and we are pretty much in agreement to move forward. Are there any comments?

Mrs. Dunphy said as a new member, what I got from this was, if we are putting something up for a multi-year contract, it never hurts to get bids so we feel we are doing our due diligence.

Mr. Church said Mr. Nichols is on record as saying that’s what he wants to do the next time.

Mr. Justus thanked Council for the opportunity to speak and said we appreciate the partnership we have. We are very interested in continuing that.

Mr. Jones asked how the large recycling bins will be switched out with the current smaller bins.

Mr. Justus said it would probably take one to two weeks to make a scheduled drop.

Mr. Nichols said Don Johnson (from Kimble Companies, Inc.) talked to the Finance Committee about recycling and what is going on in China. We are looking at a 9.5 percent increase the first year, which sounds like a lot, but not really if what’s going on in the industry warrants it.

Mr. Justus said China is a part of it. Their imports of recyclable plastics have dropped to single digits. As a result of that, there is a glut of these recyclables in the market. Aluminum is probably the strongest right now. Plastics are weak. We were having to pay to take paper away. There

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were things we were selling for as much as \$70 that have dropped to single digits. We cannot find buyers for glass. The regular cost of doing business, such as trucks and human resource costs, is probably close to 3 percent. What's driving this is the cost of recycling in general. Some of our competitors are not offering some services at all, such as not offering recycling or pulling out of plastics or glass. Kimble is trying to remain as committed as we can. The Kimble family has been doing this for a number of years, and we want to remain in that business.

Mr. Jones asked about plastic bags. Mr. Justus said the best way is for people to put recyclables directly into the bin. Plastic bags get caught in the sorting machinery. Some of the grocery stores have bins to collect plastic bags. Kimble does not collect them.

Shelley Jurkiewicz, 2920 Lee Road, suggested the residents be polled to see if they are happy with their service. I am mostly happy, but every Friday afternoon, if there has been any precipitation, you will notice spill stains on the roadway.

Mrs. Dunphy said if you report it, Kimble will come out to clean it up.

Mr. Fred Johnson, Silver Lake Estates, asked if there is a plan to communicate with residents about the new contract. There should be communication about the new rules, such as it should be clean and shouldn't be in a plastic bag. It would be a nice opportunity either in the Residents' Review or a letter from Kimble. On a personal note, I have had nothing but fabulous drivers.

Mayor said there will be a joint letter going out to every resident from the Village and Kimble.

There being no further comments or questions, Mr. Church said we will look to bring this out this evening.

RESOLUTION NO.: 09-2019

Mr. Nichols said this puts the additional money we spent into the loan.

Mr. Housley said the EPA told me to write it to make it up to a certain amount, so if another one comes up I don't have to go through the application process again. You authorized me to apply for a loan up to \$100,000, but it will probably be around \$75,000.

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

ORDINANCE NO.: 10-2019

Mr. Church asked if the sewer study by CTI for \$23,565 was a new study.

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Mr. Housley said we talked about it at the last Council meeting. Mr. Lipan brought it up after you asked him to perform an analysis.

Mr. Lipan said they did the study in 2004 and we've replaced three different sewer systems since then. We're trying to get a feel for if what we did helped.

Mrs. Dunphy said with the amount of money we're putting into these projects, I think this is a good piece of mind investment.

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

RESOLUTION NO.: 11-2019

Mr. Lipan said we purchased a new truck to replace the 2004 dump truck. The bed is probably about 25 years old, which came off the old truck. It is rusted and the fenders bowed out.

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

RESOLUTION NO.: 12-2019

Mr. Lipan said the Dodge pickup is being replaced by the Ford Escape that Joe's Auto donated to the Village.

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

Second Reading:

ORDINANCE NO.: 05-2019

Mrs. Meyer asked why we don't pay them up front when they buy uniforms.

Mayor said this is how it's been done historically.

Chief Norris said people would sometimes get paid and leave immediately afterward.

Mrs. Meyer said I would like to see it go up to at least \$900.

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

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Mr. Church said **Resolution No.: 09-2019** was discussed in committee and is ready for adoption.

Motion to suspend the rules by Mr. Church, seconded by Mrs. Dunphy

Roll call: Yes 6 No 0

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

Roll call: Yes 6 No 0

Mr. Church said **Ordinance No.: 10-2019** was discussed in committee and is ready for adoption.

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

Roll call: Yes 6 No 0

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

Roll call: Yes 6 No 0

Mr. Church said **Resolution No.: 11-2019** was discussed in committee and is ready for adoption.

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

Roll call: Yes 6 No 0

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

Roll call: Yes 6 No 0

Mr. Church said **Resolution No.: 12-2019** was discussed in committee and is ready for adoption.

Motion to suspend the rules by Mr. Church, seconded by Mrs. Dunphy

Roll call: Yes 6 No 0

(Motion to adopt is later on next page)

Mr. Church said **Resolution No.: 04-2019** was discussed in committee and is ready for adoption.

Motion to suspend the rules by Mr. Church, seconded by Mrs. Meyer

Roll call: Yes 6 No 0

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

Roll call: Yes 6 No 0

Mr. Church said **Ordinance No.: 05-2019** was discussed in committee and is ready for adoption.

Motion to suspend the rules by Mr. Church, seconded by Mrs. Meyer

Roll call: Yes 6 No 0

(Since there was no roll call to adopt Resolution No.: 12-2019 Council needed to go back to vote, which required a withdrawal of the motion and second on Ordinance No.: 05-2019.)

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Mrs. Meyer withdrew her second and Mr. Church withdrew his motion on Ordinance No.: 05-2019.

Motion to adopt **Resolution No.: 12-2019** by Mr. Church, seconded by Mrs. Dunphy

Roll call: Yes 6 No 0

Mr. Church said **Ordinance No.: 05-2019** was discussed in committee and is ready for adoption.

Motion to suspend the rules by Mr. Church, seconded by Mrs. Meyer

Roll call: Yes 6 No 0

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

Roll call: Yes 6 No 0

Mr. Church asked if there were any questions on the payment of claims for February 15, 2019. Hearing none, Mr. Church concluded his report.

PLANNING, ZONING AND INSURANCE COMMITTEE – MR. NICHOLS

RESOLUTION NO.: 13-2019

Mr. Nichols said this extends the time from the usual time for zoning changes to 180 days for rezoning the Silver Lake Elementary School property.

It is now platted and several lots are substandard. If it were to go through a development, several lots would be undevelopable. Their proposal is to study this more and go forth with both a rezoning and re-platting. It would involve a one-step process instead of a two-step. My question is whether or not there's risk in that amount of time passing.

Mayor Hovey said if they want to close Silver Lake School, it's not going to happen anytime soon. If they did close it in a hurry and wanted to put something else there, it would have to be another school, a church, or a government building. None of those, in all likelihood, are going to happen. The Planning Commission wants to study this and see if re-platting makes sense, as none of the homes that could be built there would be in character with Silver Lake. It has been platted once, and there are nine lots on it. The ones in the middle are pretty small and small homes would have to be built, which would require variances. The Planning Commission wants to see if re-platting makes sense.

Mr. Heydorn said these lots were platted in 1918. When we changed the zoning code in 1994, we set up 20,000 square feet as the minimum size to have a buildable lot. We made non-conforming rules to facilitate building under those conditions. The idea in 1994 was we would encourage larger lots whenever the possibility came up. Land development is not something we've done here for 30 or 40 years. The Planning Commission is the entity to accomplish that. If those lots are

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bought by individual people, one of those people will have a sub-standard lot. Everything about their building will have to be reviewed and passed by the Board of Zoning Appeals.

Mr. Plesich said we don't own that land. If at some point they decided to sell it, they are most likely going to sell it off as a whole for development, not individual lots.

Mr. Heydorn said that's the idea, but there's no guarantee.

Mr. Plesich said if we rezoned it residential right now, could they sell them?

Mr. Heydorn said it's not impossible. On Vincent Road, most of those lots are sub-standard. One landowner sued and forced the Village into a situation of having a sub-standard home built on a small lot.

The Chairman of the Planning Commission suggested the 180 days. They don't believe that's going to be a problem, unless there is a big movement to turn it into a public park. The risk involved is minimal, so why not take the time to make a rational decision.

Mr. Plesich said I don't have a problem with that. I think the residential option is the best option.

Mrs. Dunphy asked if rezoning and re-platting would be done at the same time.

Mr. Heydorn explained a developer can purchase with an option for re-platting.

Mr. Jones said Mr. Heydorn said at the last meeting, he didn't think rezoning was a good idea because the school board could sell off the property and make about \$1 million to \$2 million. And I said so what. They need the money.

Mr. Heydorn said this isn't part of their request. That issue has nothing to do with it.

Mr. Jones asked if Mr. Heydorn had spoken to them about this.

Mr. Heydorn said he mentioned that to them and they said they weren't concerned about that. I don't think that is going to be part of their problem. As a practical matter, if somebody was on the school board and somebody showed me a way of making a cool million dollars, I would probably do it.

Mr. Church said especially in their current state.

Mr. Heydorn said, since they are looking for an excuse to get rid of the school anyway, making some money off of it would be the way do it, in my book. Nobody thinks that is a viable argument, so that is fine. I'm only making that argument as a citizen, obviously it is not my place as a law

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director, but fine. All I can tell you is this, put that aside, whether you believe it or not, I think it is irrelevant at this point.

The point now is it looks like everyone has decided it is going to be rezoned to residential at some point, so fine. The point is it is all about the timing and it's all about the process. And that is where you are at.

Mr. Jones said I think six months is a long time to extend it.

Mr. Heydorn said that is the time frame Jeff Heintz (Chairman of the Planning Commission) asked for. Frankly, he knows a lot more about the process than anybody on Council I would think.

Mr. Jones said I'm sure he does, but it just seems like an awful long time.

Mrs. Dunphy said it is a long time, but I don't think the school board is moving quickly on this whole process. Even with a building levy, they would be focused first on the high school and middle school. I think we have time. I want to do it right.

Mr. Nichols said I understand the discussion, what the concepts are, but what are they studying?

Mr. Heydorn said they would study the process and the timing involved. When they study it, they take a look at what would be practical to do. Such as when is the right time to come to the conclusion that things are going to be sold to the point where you can encourage a person to buy and at the same time, submit a plat so that the rezoning takes place after that.

The other thing is, they may not want to necessarily stick with the 20,000 square foot minimum building standard. That takes another rezoning ordinance to change that in the residential area. Maybe good planning might also be to change the 20,000 square foot minimum limit to something a little smaller, something that would be more compatible with the neighborhood. Maybe set up a second zoning district, like R2, for that particular place.

Without fully exploring the discussion of the variables that are involved, I couldn't, nor could you, appreciate the complexities that might be involved when there is a full discussion. I'm not ready to question Mr. Heintz. I am not. When there is no risk, literally none, or minimal, the question for you is 'what's the rush?' Tell me what the rush is. Why the rush. Is there a good reason for a rush?

Mr. Church said if I'm a school board member with a fiscal problem and I want to fix up the high school and middle school and I have an elementary building that's not serving the community the way we expected it to, i.e. only 38 percent of Silver Lake children go there, I want to finance my new idea as quickly as I can. I'm playing devil's advocate, to a certain extent, I want that \$1- \$2 million dollars in my pocket as quickly as possible. So I close that building that's in disrepair and

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not doing what it's supposed to be doing right now. Close it as quickly as possible. I don't think that can be done within 180 days, but I think that's going to happen sooner rather than later.

Mr. Heydorn said I think that's one of the reasons you want to rezone. It's beyond comprehension to me, as a citizen as opposed to a law director, it is beyond comprehension to me that you wouldn't want the Planning Commission to explore the options here. Because you're on some sort of time table that is total fictional. If that is what you want to do, go right ahead and deny them the time.

Mayor said I disagree with Mr. Church that it's going to come soon if it comes at all. There are two other buildings in the district in more disrepair. The only identification Silver Lake has with the Cuyahoga Falls School District is Silver Lake School. They are going to have a real hard time getting Silver Lake to pass any levies. That has to be a political thought of theirs. They have been talking about closing it for 10 years. I wouldn't be surprised if it's another 10 years.

Mr. Church said he was being the devil's advocate. But it is a thought process which would cross my mind if I was on the school board.

Mr. Heydorn said thank you, it crossed my mind too.

Mr. Jones said if we give them this extension, I personally would like to hold this for one more reading just to give it some thought. We've had a lot of discussion here.

Mr. Heydorn said their time period is going to run by your next meeting.

Mayor Hovey said if the Planning Commission doesn't give you a recommendation in 30 days, then Council can act on it.

Mr. Heydorn said the 180 days would run until June.

Mr. Jones said that place is a mess. What are we doing to enforcing the ordinances that require them to take care of things, such as cleaning up the place, mowing the yard, edging the sidewalks?

Last year the place was a mess and nothing was done. Grass is growing over the sidewalk on both sides and they didn't edge it once the whole year. The guy comes through there going 30 miles per hour with the riding lawn mower and blows grass all over. They don't do any trimming. Why aren't we enforcing the rules?

Mayor said we have pointed out to the school several times the issues you refer to. It comes down to, are we going to take the school board to court for these things.

Mr. Heydorn said we don't have an ordinance to stop them from letting grass grow over the sidewalk. The only ordinance we have is you can't let your grass grow more than eight inches.

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Mr. Jones said he has seen more than eight inches.

Mr. Heydorn said ok then we should have enforced that.

Mr. Jones said there are a lot of things around the school, such as the downspouts.

Mr. Heydorn said the Citizens’ Housing Committee should be there looking at it.

Mr. Nichols said it is apparent to me we have to do something tonight.

Mr. Jones said we are actually giving them five months instead of six.

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

RESOLUTION NO.: 07-2019

Mr. Nichols said I talked to the Mayor about this today, and a meeting won’t take place until Tuesday. There is an indemnification clause which we don’t think is fair. We will discuss it at the meeting on Tuesday.

There being no further comments or questions, Mr. Nichols said this will be held.

RESOLUTION NO.: 13-2019

Mr. Nichols said **Resolution No.: 13-2019** was discussed in Committee and is ready for adoption.

Motion to suspend by rules by Mr. Nichols, seconded by Mr. Plesich

Roll call: Yes 6 No 0

Motion to adopt by Mr. Nichols, seconded by Mrs. Meyer

Roll call: Yes 6 No 0

Mr. Housley said this resolution was originally brought before Council as Ordinance No.: 80-2018, in December, 2018.

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey had no report.

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

Chief Jamie Norris reported Officer Craig Rowe will be going full-time on March 30, 2019. He has been part-time since 2016.

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Mr. Mark Lipan, Service Director, reported the water tower was inspected and cleaned today.

Mr. Sean Housley, Clerk-Treasurer, reported January is not reconciled. We are off between \$500 and \$600. I have been working on other things and it has been sitting. Hopefully, before this month is out, we will be able to find it.

I put together a sewer cost analysis. It is in front of you tonight. I tried to look at things in each individual month. The only trend I see is from the end of January through the end of May, there is a huge influx of inflow and infiltration.

The County provided Mr. Lipan and me a chart when we met with them last week. Infiltration can be tree roots getting into lateral and then into the sewer line. Inflow is where people are illegally hooked up directly to the sanitary system by downspouts or footers.

After looking at the numbers, it seems our major problem is inflow. I highlighted the three most important numbers on the chart. For 2016, we had a negative 973,000 gallons, which is the difference between the water we sell and the sewage that is treated.

On average it is 1.5 to 1.75 percent. The 2016 number is not realistic. Between 2016 through the end of 2018, we did several projects, including Silver Lake Boulevard and the Lee Road sewer project. It is now a real number. Instead of reducing the water treated, it so far has been the opposite.

I've determined we need to have a \$6 increase in sewer rates. I'd like to know if it is okay if I bring legislation before Council at the next meeting.

Mr. Church said there needs to be a detailed explanation of exactly how it works.

Mr. Nichols said due to new infrastructure, we are capturing more water for treatment and there is less going to the lake, which is a good thing.

Mr. Church said that's good information. If we're going to raise rates, we need to have some good rationale behind it. I would like a fact sheet or rationale to go with the legislation Mr. Housley will bring before Council.

Mrs. Dunphy asked is this a case where we are capturing sewage that is going into the system that previously didn't. Is this a permanent issue? Or is it only during construction.

Mr. Housley said yes and no.

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Yes that is exactly what is surfacing. After the projects, there is less cross contamination of the systems, because we have totally separated them, instead of having over and under, it is almost a totally dedicated sewer system now.

Also, due to age and design, you could have plates in one system above the other system that was made of metal that is totally gone. You now have a nine by three inch void. That is a lot of volume of sewage or water that is being cross contaminated between systems.

So by separating the systems, they do away with those problems. This infiltration is a more accurate read. I think it is because of the repair work done.

Mr. Plesich said from an environmental standpoint, it's a good thing, but we will be paying for it.

Mr. Housley said it's a good thing. It's the right thing.

Mr. Lipan said when we replaced the sewer on Silver Lake Blvd those houses were not going anywhere near the sanitary sewer.

Mr. Plesich said rates could continue to increase, as we have not taken into account the Lee Road project.

Mr. Housley said, in your analysis, I'll show you the revenues we need to create and put some verbiage in as to why we have to have this type of an increase.

We are in the process of seeking quotes on health benefits. We asked Fedeli Group to come in with a renewal, which was not what we wanted, so we asked them to seek quotes with an updated roster and updated health information from all the employees. They said by March 13 they should have quotes for us.

Mr. Nichols asked if Fedeli was going to get quotes from multiple carriers.

Mr. Housley said yes.

In your packets there are annual financial statements. I have until the end of this month to get this report to the state.

Miscellaneous Business

Mr. Jones said as Council president I get legislation to look at that is coming up for the following Monday. Last week I got notice at 3:05 p.m. on Friday. Typically, I would get that information on Thursday. That's simply too late for me to look at stuff and determine that it is okay to go out at 4:00 p.m.

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Mr. Jones told Mr. Heydorn that he would like to make a change in the Council Rules and legislation. I am also going to ask Council if they have a copy of the Council Rules.

Some members responded no.

Mr. Jones asked if they had ever seen a copy of Council Rules.

Some members responded no.

Mr. Housley stated he has distributed Council Rules to everyone.

Mr. Jones told Mr. Housley to make sure all Council members get a copy of Council Rules. And he asked Council to take a look at the rules before the next meeting.

We don't observe some of them because we don't know the rules are there. I'd like to get a meeting together to go through it. With regard to what happened last week, I would like to add something to the legislation to indicate the Clerk-Treasurer shall furnish to the Council president the agenda by 1:00 p.m. on Thursday preceding the meeting so it doesn't come to me on Friday at 3:00 p.m.

Mr. Plesich asked if this was an ongoing problem.

Mr. Jones said sometimes Sean doesn't get things until the last minute, then it makes it difficult.

Mr. Heydorn said I thought what goes on the agenda was a joint agreement between the Council President and the Mayor.

Mr. Jones said yes.

Mr. Heydorn said so what actually gets on the agenda should be after a meeting between the Mayor and President of Council.

Mr. Jones said we don't do that. That doesn't happen.

Mr. Heydorn said if that is what the rules require, that's what the rules require.

Mr. Jones said we don't always follow the rules.

I'm aware some department heads come in at the last minute on Thursday and say I need this. I don't think that should happen. If it was that important, it would be important at the beginning of the week.

Mr. Heydorn said your function as President of Council is to determine what gets on the agenda, so more time would be justified.

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Mr. Housley said it is in the Council rules “it shall be the duty of the Clerk of Council, after consultation with the Mayor and President of Council, to have an agenda prepared.” Getting an agenda by a certain time is not currently in writing.

Mrs. Dunphy also asked if Council could get the agenda earlier. I do appreciate the agenda being emailed.

Mr. Jones said the only way that will happen is if we adopt this rule. If he gets it to me on Thursday, I have no problem with emailing it. I pulled one piece of legislation, which was on for tonight’s meeting because I got it at the last minute.

Mr. Housley said if there are last minute changes, which I usually have by early Friday morning, I have to change the agenda. Last minute changes don’t always make it to the final agenda.

Mr. Church asked if the Mayor was consulted about pulling the legislation or was it solely Mr. Jones’ decision.

Mr. Jones said Sean talked to the Mayor and he said it was ok.

Mr. Housley said it is always joint, I make sure it is a joint decision.

Mr. Lipan said he would like to clarify one thing. Several months ago the Mayor and Sean said we have to give two weeks’ notice before anything goes on the agenda, so we bring nothing to Sean the week prior to the agenda going out.

Mr. Jones said never have.

Mr. Lipan said never have.

Mr. Housley said it is not the department heads. The department heads are exceptional. It is usually complicated last minute items coming from the Law Director.

Mr. Lipan said we are not making it complicated.

Mr. Housley said he wanted the health care item on the agenda.

Mr. Heydorn we can draw up the proposed changes and Council can vote on it.


There being no further questions or comments, Council adjourned at 8:32 p.m., until the next regular meeting of Council on Monday, March 4, 2019, at 7:00 p.m.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 19, 2019

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

VILLAGE OF SILVER LAKE

COUNCIL MEETING SIGN-IN SHEET

DATE: 3/4/2019

PLEASE REMEMBER YOUR NUMBER

NAME (Please Print)	ADDRESS	CONCERN
1. JOHN G. DULA	800 GAYLORD R.F. GROVE	LAND IN BACK WHAT TO BECOME OF IT
2. Jim Coe	3162 HIGHLAND	
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