

BERNIE HOVEY
Mayor

SEAN M. HOUSLEY, CPA
Clerk-Treasurer

MARK W. LIPAN
Service Director

JAMIE NORRIS
Chief of Police

ROBERT W. HEYDORN
Solicitor



SILVER LAKE VILLAGE HALL

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Monday, March 01, 2021

NOTE: Council will meet in Village Hall. Council members should not call in, nor are cell phones required. This meeting will be available to the public via Zoom. Council will be able to hear the public over the speakers.

To access this Zoom meeting follow this link

<https://zoom.us/j/2512086899?pwd=TXpQaUZCandybjh4Y3huUGgzT0dpQT09> or go to <https://zoom.us/> and click join a meeting. Type in the **Meeting ID** which is **251 208 6899** and if it prompts you to enter a **password** enter **Silver18**. If you wish to speak during the meeting type a message in the chat with your first and last name, address and what you wish to speak about.

If you do not have access to the internet you can access this meeting by dialing in using the following phone number. Enter the Meeting ID and Passcode (when prompted).

Dial-in number (US): +1 646-558-8656 **Meeting ID:** 251 208 6899 **Passcode:** 31461176

If you are dialing in and wish to speak you can be unmuted by dialing *6.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

7:00 p.m.

1. Pledge of Allegiance.
2. Roll call of Council.
3. Approval of the minutes of the February 16, 2021 Council meeting.
4. Ordinances and Resolutions:

FIRST READING:

RESOLUTION NO.: 18-2021 A RESOLUTION CONFIRMING THE MAYORAL APPOINTMENTS OF TERRENCE STEEL, CAROL STEINER, JOHN SCHLUEP, REBECCA BROCKMEYER AND DAVID VIA AS MEMBERS OF THE CHARTER REVIEW COMMISSION OF THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY. *(Personnel and Public Affairs)*

RESOLUTION NO.: 19-2021 A RESOLUTION GRANTING CONSENT TO THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION AUTHORITY TO, APPLY, MAINTAIN AND REPAIR STANDARD LONGITUDINAL PAVEMENT MARKINGS AND ERECT REGULATORY AND WARNING SIGNS INSIDE VILLAGE CORPORATE LIMITS, AND SUBJECT TO FURTHER AGREEMENT WITH ODOT, GRANTING CONSENT FOR ICE AND SNOW REMOVAL AND ROAD MAINTENANCE ON STATE ROUTE 59 INSIDE THE VILLAGE CORPORATE LIMITS, AND DECLARING AN EMERGENCY. *(Personnel and Public Affairs)*

SECOND READING: *None*

THIRD READING: *None*

5. Comments from the audience (3-minute maximum per person).
6. Committee Hearings to discuss pending legislation.
 - A) Planning, Zoning & Insurance.
 - B) Finance & Appropriations.
 - C) Public Improvements.
 - D) Personnel & Public Affairs.
7. Reports of Council's Standing Committees.
8. Mayor's Report.
9. Reports of Village Officials.
10. Miscellaneous Business.
11. The next regular meeting of Council will be on **Monday, March 15, 2021 at 7:00 p.m.**

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 16, 2021

7:00 p.m.

The Village of Silver Lake Council met in regular session on Tuesday, February 16, 2021, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio. The meeting was made available to the public via Zoom.

With President of Council Mr. William Church presiding, the meeting was called to order at 7:00 p.m.

Mr. Church led the Pledge of Allegiance.

The following members were present and responded to roll call: Mr. Dann Nivens, Mr. Tim Nichols, Mr. Matthew Plesich, Mr. William Church, Mrs. Therese Dunphy, Mrs. Betsy Meyer, and Mr. Christopher Scott.

Roll call of Council - 7 members present

Absent – None.

Mr. Church: Were there any additions or corrections to the minutes of the February 01, Council meeting. There being no additions or corrections, the minutes were approved as submitted.

Mr. Church: Called for the reading of ordinances and resolutions by Mr. Housley and assigned the committees.

First Reading:

RESOLUTION NO.: 14-2021 A RESOLUTION APPROVING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$4,455.85 TO JP MORGAN CHASE BANK, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

RESOLUTION NO.: 15-2021 A RESOLUTION RATIFYING AND CONFIRMING THE AUTHORIZATION OF THE MAYOR TO ENTER INTO A CONTRACT WITH ORIANA HOUSE, INC. FOR COMMUNITY CORRECTIONAL SERVICES FOR THE VILLAGE OF SILVER LAKE DURING THE YEAR 2021, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

ORDINANCE NO.: 16-2021 AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

RESOLUTION NO.: 17-2021 A RESOLUTION CONFIRMING THE MAYORAL APPOINTMENTS OF LOUISE HEYDORN, CAROL STEINER, JOHN SCHLUEP, REBECCA BROCKMEYER AND DAVID VIA AS MEMBERS OF THE CHARTER

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 16, 2021

7:00 p.m.

REVIEW COMMISSION OF THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY. (Personnel and Public Affairs)

Second Reading: None.

Third Reading: None.

Comments from the audience: None.

**FINANCE AND APPROPRIATIONS COMMITTEE – Mrs. Dunphy
RESOLUTION NO.: 14-2021**

Mr. Housley: This is for the bank fees for the entire year of 2020. We pay these every year in January. Normally, I have the purchase order put together before the bill comes in, but in this case, I was not here. Since it was over \$3,000, we put together a piece of legislation for it.

Mr. Scott: What are these fees we are paying the bank for?

Mr. Housley: It is a combination of various activity.

Mr. Nichols: Is it similar to what it has been in previous years?

Mr. Housley: Yes. Probably within \$500.

Mr. Scott: Is Chase a depository for us?

Mr. Housley: Yes. It is typical banking fees. Our service credit used to negate the fees, but we started to invest the money instead of using the service credit.

Roll call to suspend the rules:	Yes	7	No	0
Roll call to adopt the legislation:	Yes	7	No	0

**FINANCE AND APPROPRIATIONS COMMITTEE - Mrs. Dunphy
RESOLUTION NO.: 15-2021**

Mayor Hovey: That is a resolution that we do every year. I do not think that we used it at all last year.

Mr. Nichols: There is an increase in fees, but it is minor.

Mr. Housley: We have not spent any money on Oriana house in the past few years.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 16, 2021

7:00 p.m.

Mr. Plesich: Looking at the contract, it looks like we are charged the fees and then we are able to get reimbursed from the defendant who uses the program. Is that how that works? Then Oriana collects the money.

Mr. Heydorn: I do not think that all the fees work that way.

Mr. Nivens: In the past Oriana has held the right to collect the fees back from the defendant. If anything is collected it is normally small.

Mr. Heydorn: There is an indemnification provision here, but if the money is not there, we are not going to get indemnified.

Mrs. Dunphy: From the handout it looks like we have not paid anything to Oriana House since 2018 and that year we paid \$1,750.22.

Mr. Scott: On the handout where you show the adjustments in the contract, it did not mention if they upped the charges on page 4 for if they are part of a program. Do we know if those went up?

Mr. Housley: I do not think so. I just summarized the changes, and I did not see a change there. I can look into that and send you an email.

Roll call to suspend the rules:	Yes	7	No	0
Roll call to adopt the legislation:	Yes	7	No	0

FINANCE AND APPROPRIATIONS COMMITTEE - Mrs. Dunphy

ORDINANCE NO.: 16-2021

Mrs. Dunphy: The change seems to be the \$1,850 for remote working capabilities, printing costs for \$1,600 and the Summit County Covid fund reserve for \$7,119.

Mr. Scott: This was obviously budgeted during Covid, what were the additional fees from the remote and teleworking that we did not budget for?

Mr. Housley: Software and added licensing costs for the Council computers. We also had to get extra licenses for software in the police cruisers.

Roll call to suspend the rules:	Yes	7	No	0
Roll call to adopt the legislation:	Yes	7	No	0

The statement of cash position for January 31, 2021 was discussed and accepted as distributed.

Mrs. Dunphy: I did have a question about the negative balance in account B04?

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 16, 2021

7:00 p.m.

Mr. Housley: The department heads did not know that we had spent all of that money. I will be reclassifying those funds back to where they can be charged this week.

The payment of claims for February 10, 2021 was discussed and accepted as distributed.

PERSONNEL AND PUBLIC AFFAIRS – Mrs. Meyer
RESOLUTION NO.: 17-2021

Mrs. Meyer: I do not like your appointment of Louise Heydorn, I think that would be a conflict of interest with Bob being our solicitor.

Mayor Hovey: I would say that there is no conflict of interest. Louise was on the last Charter Review Commission. The only stipulation is that the members cannot hold elective office.

Mr. Heydorn: Just because I am solicitor does not change the way she decides things. She was chairman of this commission in 2013 and nobody raised the issue then. She was on County Council for 16 years. She proffered by petition amendments to the County Constitution. She voted on many Charter amendments to the County Charter. The Mayor put her on their because the last time, her and the rest of the Commission ended up making 19 Charter changes.

Mayor Hovey: They made 21.

Mr. Heydorn: I can guarantee you that she has a mind of her own and she has a lot of experience.

Mr. Church: I would like to add that, I think it was a legitimate question Betsy, but I spent a lot of time looking at companies for politically exposed people and this does not necessarily fall into that category.

Mr. Plesich: I do not think that anyone is questioning her qualifications. Her experience speaks for itself.

Mr. Heydorn: I am just an advisor. I do not hold a position of power. Do not forget that these changes go back to Council and nothing happens to them unless you all vote for it. All they are doing for you is advising, they do not hold any power.

Mr. Plesich: I do not think anyone is saying that there is direct conflict. The point is there is an appearance of conflict.

Mr. Heydorn: So, you were satisfied with this in 2013 but not now?

Mr. Plesich: I think Betsy makes a good point and I agree with her. I think there are more than enough qualified people in the Village to serve on this Commission.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 16, 2021

7:00 p.m.

Mr. Scott: I was surprised to see her on again. The more I thought about it, Bob, you are going to be advising this committee, so having your spouse on the committee to listen to your advice does have the appearance that there could be some influence generated toward that committee.

Mrs. Dunphy: I looked at this and thought that her County Council experience brings a different governing perspective that might add something to the process. I saw her experience as a significant benefit. I understand your point, but my husband and I look at things differently every day of the week, so I do not see that being an issue.

Mayor Hovey: Let me explain my thought process in choosing these people. I wanted a few people on the committee who have been in the Village for a long time and really have a feel for what is good for the Village. That is why I chose John Schluep and Carol Steiner. I also wanted some new faces, those who have not been involved in things previously but have shown an interest in being involved in the Village. That is why I chose Rebecca Brockmeyer and David Via. Louise was picked because she was on the commission last time it was formed. She has valuable experience in knowing how to run these things very efficiently and her knowledge of the Village is outstanding. I see no problem with any of the 5.

Mr. Church: I would like to add that this Charter Review Committee is in an advisory capacity. We will have to vote on any and all changes that they propose.

Mr. Nichols: To me this is not personal at all and I concur with the sentiment that this has the appearance of conflict. I think the better course would be for that to be avoided.

Roll call to suspend the rules:	Yes	7	No	0
Roll call to adopt the legislation:	Yes	2	No	5

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey: Perhaps it would be appropriate for Council to send me a list of the Committee that I am allowed to make up. I have spoken with the Mayor of Stow about the Englewood road project. They seem to be in favor of what we are doing. They also seem willing to participate, but to what extent we do not know. I am going to comprise a letter to the residents of Englewood road letting them know what we are going to do. It is going to be cosigned by John Pribonic, the Mayor of Stow, so the residents of Stow know the benefits of the improvements we will be making on that road.

Mr. Robert Heydorn, Village Solicitor: No report.

Chief Jamie Norris: We put a parking ban into effect until 6 o'clock tonight, so that expired. If you want to check to see if a parking ban is in place you can check our website and social media pages. There was a garage fire Sunday morning due to a faulty battery charger. The fire department responded quickly and kept it contained to the garage.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 16, 2021

7:00 p.m.

Mr. Mark Lipan, Service Director: I have interviewed 3 people and I have narrowed it down to 2. I am going to do background checks on them. I should have someone with the Mayor's approval by the end of the week. We used approximately 18 tons of salt this storm. We are trying to cut back on it so that it does not go into the lake. We had 48 hours of overtime, 3 shifts with 2 people. We had to borrow a plow from Cuyahoga Falls. The new one is still being built. Henderson gave us a loaner one, but it was a highway plow that was 11 feet long and I would rather not use that because it would tear everything up.

Mr. Church: Your crew has done an excellent job.

Mr. Sean Housley, Clerk-Treasurer: We received our February income taxes today. Our income taxes are up \$54,000 compared to last year. I believe that may have to do with more people working from their home. Wichert called this week and our medical benefits increased by 6.5%. We have a meeting scheduled for Thursday to go over the numbers. They are subject to change up until the legislation gets approved.

Mr. Nivens: When does our benefit period end and when do we start looking at the benefits that are offered to the staff?

Mr. Housley: The benefit period ends April 30th. We start looking early February.

Mr. Nivens: I would like to have the opportunity to speak with the committee that is looking into this. I have had conversations with employees who are concerned with the benefits.

Mr. Housley: You could schedule a committee meeting to discuss the benefits once we get the proposals. We should have tentative proposals by the end of this week. What would the committee like to do?

Mr. Plesich: Are we sure we are going to have what we need in the next week?

Mr. Housley: Yes. I can email out all of the contents.

Mr. Scott: I believe in the past and with any committee, any member of Council is welcome to join.

Mr. Nichols: There will be a Planning, Zoning & Insurance Committee meeting on Tuesday, February 23rd at 7 p.m.

Mr. Church: Mr. Nivens, I believe you had a topic you brought up last time that I think we should bring up again regarding bonuses.

Mr. Nivens: The way it was left after the last conversation was that the Mayor was going to meet with the department heads and get their thoughts.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 16, 2021

7:00 p.m.

Mr. Church: Have you had the chance to talk to the department heads?

Mayor Hovey: I have not.

Mr. Church: If that happens in the next couple of weeks, we will discuss it at the next meeting.

Mrs. Meyer: It has been brought to my attention that our property taxes have increased. Is there something we can do as a community?

Mrs. Dunphy: This was after a tri-annual update correct?

Mr. Housley: A sexennial update.

Mrs. Dunphy: It is not uncommon for there to be a change every 3 years or so. This is a significant one though.

Mr. Nivens: Park board met last week, and the chairman of the committee was going to discuss with Bob as to whether our meetings are currently meeting the obligations of the Sunshine Laws. When I get a response, I will report back.

Mrs. Dunphy: The trustees discussed the danger of winter activities on the lake and they are sending out a letter regarding that to those living in the estates.

There being no further questions or comments, Council adjourned at 7:45 p.m., until the next regular meeting of Council on Monday, March 01, 2021, at 7:00 p.m.

APPROVED:

William M. Church, President of Council

ATTEST:

Sean M. Housley, CPA

Clerk-Treasurer

prepared by: Lora Wilmoth, Assistant to the Clerk-Treasurer

RESOLUTION NO.: 18-2021

VILLAGE OF SILVER LAKE

INTRODUCED BY: The Administration

A RESOLUTION CONFIRMING THE MAYORAL APPOINTMENTS OF TERRENCE STEEL, CAROL STEINER, JOHN SCHLUEP, REBECCA BROCKMEYER AND DAVID VIA AS MEMBERS OF THE CHARTER REVIEW COMMISSION OF THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with Section 15.01 of the Charter of the Village of Silver Lake, Ohio, Mayor Bernie Hovey has appointed Terrence Steel, Carol Steiner, John Schluep, Rebecca Brockmeyer and David Via to serve on the Charter Review Commission of the Village of Silver Lake; and

WHEREAS, confirmation of the appointments is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Silver Lake, County of Summit and State of Ohio:

Section 1. That the Mayor's appointments of Terrence Steel, Carol Steiner, John Schluep, Rebecca Brockmeyer and David Via to the Charter Review Commission to serve until their duties as provided in Section 15.02 of the Charter of the Village of Silver Lake are completed, are hereby confirmed.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. WHEREFORE, this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, convenience and welfare of the Village of Silver Lake and the inhabitants thereof, for the reason that the appointments to the Charter Review Commission be confirmed immediately to promote continuous and uninterrupted service to the residents of Silver Lake, and provided it receives the necessary affirmative votes as required by the Village Charter, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

PASSED:

William M Church, President of Council

RESOLUTION NO.: 18-2021

APPROVED:

Bernie Hovey, Mayor

APPROVED AS TO FORM:

Robert W. Heydorn, Solicitor

ATTEST:

Sean M. Housley, CPA, Clerk-Treasurer

Silver Lake, Ohio _____
I, hereby certify that Resolution or Ordinance
No. _____ was published by title or
in full in the local newspaper, or designated
by Council resolution on the date or dates of
_____.

Clerk of Council

RESOLUTION NO.: 19-2021

VILLAGE OF SILVER LAKE

INTRODUCED BY: The Administration

A RESOLUTION GRANTING CONSENT TO THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION AUTHORITY TO APPLY, MAINTAIN AND REPAIR STANDARD LONGITUDINAL PAVEMENT MARKINGS AND ERECT REGULATORY AND WARNING SIGNS INSIDE THE VILLAGE CORPORATE LIMITS, AND SUBJECT, TO FURTHER AGREEMENT WITH ODOT, GRANTING CONSENT FOR ICE AND SNOW REMOVAL AND ROAD MAINTENANCE ON STATE ROUTE 59 INSIDE THE VILLAGE CORPORATE LIMITS, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Transportation, under Section 5521.01 of the Revised Code of Ohio, is authorized upon request and approval of the legislative authority of the Village to maintain, repair and apply standard longitudinal pavement marking lines and to erect regulatory and warning signs, as defined in the manual adopted under section 4511.09 of the Revised code on any section of a State Highways within the corporate limits of a village; and

WHEREAS, the Director of Transportation, under Section 5501.41, Revised Code of Ohio, may, upon consent of the legislative authority of the Village, remove snow and ice and use snow and ice control material on State Highways within the corporate limits of a Village pursuant to a written agreement to be entered into between the Village and the Department of Transportation of the State of Ohio; and,

WHEREAS, the Director of Transportation, under Section 5511.01 of the Revised Code of Ohio, may, upon the consent of the legislative authority of the Village, perform maintenance and/or repair on the State Highways within the corporate limits of the Village pursuant to a written agreement to be entered into between the Village and the Department of Transportation of the State of Ohio; and,

WHEREAS, the work proposed to be authorized under this Resolution shall be restricted to the application, maintenance and repair of standard longitudinal pavement markings and the erecting of regulatory and warning signs, and may include, if an Agreement is entered into, the removal of snow and ice and the use of snow and ice control material on State Highways within the corporate limits of Village, but shall not include the removal of snow and ice and the use of snow and ice control material on driveways, parking areas, and intersecting roads and streets, and may include if an Agreement is entered into, the maintenance and/or repair of the State Highways within the corporate limits of the Village; and,

RESOLUTION NO.: 19-2021

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Silver Lake, County of Summit and State of Ohio:

Section 1. It is hereby declared to be in the public interest that the consent of the Village of Silver Lake, Ohio, be, and such consent is hereby given to the Department of Transportation of the State of Ohio for said Department to apply standard longitudinal pavement markings, and to erect regulatory and warning signs on State Route 59 within the Village in accordance with the standard practices of the Ohio Department of Transportation.

Section 2. It is hereby declared to be in the public interest that the consent of said Village be, and such consent is hereby given to the Department of Transportation of the State of Ohio, if an agreement is entered into, for said Department to remove snow and ice and use snow and ice control material on State Route 59 within the Village in accordance with the standard practices of the Ohio Department of Transportation.

Section 3. It is hereby declared to be in the public interest that the consent of said Village be, and such consent is hereby given to the Department of Transportation of the State of Ohio, if an agreement is entered into, for said Department to perform certain maintenance and/or repair on State Route 59 within the Village in accordance with the standard practices of the Ohio Department of Transportation.

Section 4. That, if an agreement between the Village and ODOT is authorized by Council under Section 2 and 3 above, the Mayor is authorized to execute the agreement with ODOT for the removal of snow and ice and the use of snow and ice control material on State Route 59 within the corporate limits of the Village and/or an agreement with ODOT for certain maintenance and/or repair of State Route 59 within the corporate limits of the Village. The Public Service Director shall be the Village representative for implementation of any such agreement.

Section 5. That the Clerk is hereby directed to furnish the Director of Transportation and the Summit County Executive with a certified copy of this Resolution immediately upon execution.

Section 6. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

RESOLUTION NO.: 19-2021

Section 3. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety, convenience and welfare of the Village of Silver Lake and the inhabitants thereof, for the reason that defined responsibilities on a State Highway is immediately necessary for the safety of the public and, provided it receives the necessary affirmative votes as required by the Village Charter, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

PASSED:

William M Church, President of Council

APPROVED:

Bernie Hovey, Mayor

APPROVED AS TO FORM:

Robert W. Heydorn, Solicitor

ATTEST:

Sean M. Housley, CPA, Clerk-Treasurer

Silver Lake, Ohio _____
I, hereby certify that Resolution or Ordinance
No. _____ was published by title or
in full in the local newspaper, or designated
by Council resolution on the date or dates of
_____.

Clerk of Council