

BERNIE HOVEY

Mayor

SEAN M. HOUSLEY, CPA

Clerk-Treasurer

MARK W. LIPAN

Service Director

JAMIE NORRIS

Chief of Police

ROBERT W. HEYDORN

Solicitor



VILLAGE OF  
**SILVER LAKE**

Established 1918

SILVER LAKE VILLAGE HALL

2961 Kent Road  
Silver Lake, Ohio 44224-3098

Phone 330-923-5233

POLICE

Non-Emergency 330-929-8771

Phone 330-928-7573

Fax 330-923-6965

[www.villageofsilverlake.com](http://www.villageofsilverlake.com)

**Monday, August 02, 2021**

**NOTE:** Village Hall is currently open. All meetings are **in-person only.**

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

**7:00 p.m.**

1. Roll call of Council.
2. Approval of the minutes.
  - Approval of the minutes of the July 19, 2021, Regular Council Meeting.
3. Ordinances and Resolutions:

***FIRST READING:***

**RESOLUTION NO.: 44-2021 A RESOLUTION AUTHORIZING THE MAYOR AND CHIEF OF POLICE OF THE VILLAGE OF SILVER LAKE, OHIO, TO ENTER INTO A MUTUAL AID AGREEMENT AMONG CITIES, VILLAGES, AND TOWNSHIPS IN SUMMIT COUNTY FOR LAW ENFORCEMENT COOPERATION THROUGH A MOBILE FIELD FORCE UNIT AS DESCRIBED HEREIN, AND DECLARING AN EMERGENCY. (*Personnel & Public Affairs*)**

**ORDINANCE NO.: 45-2021 AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT MAYORS MUST RESIDE IN THE VILLAGE FOR FOUR (4) YEARS PRIOR TO THE DATE OF HIS/HER ELECTION, AMENDING SECTION 3.02, AND DECLARING AN EMERGENCY.**

*(Personnel & Public Affairs)*

***SECOND READING:***

**ORDINANCE NO.: 32-2021 AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT THE NUMBER OF COUNCILMEMBERS REQUIRED TO OVERRIDE A MAYORAL VETO OF LEGISLATION PASSED BY COUNCIL BE INCREASED FROM FIVE (5) TO SIX (6),**

**AMENDING SECTION 3.05, AND DECLARING AN EMERGENCY. (Personnel & Public Affairs)**

**ORDINANCE NO.: 33-2021 AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT COUNCILMEMBERS MUST RESIDE IN THE VILLAGE FOR TWO (2) YEARS PRIOR TO THE DATE OF HIS/HER ELECTION, AMENDING SECTION 4.04, AND DECLARING AN EMERGENCY. (Personnel & Public Affairs)**

**ORDINANCE NO.: 34-2021 AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT MEASURES RECOMMENDED BY THE MAYOR SHALL BE INCLUDED IN THE AGENDA OF COUNCIL, AMENDING SECTION 4.05, AND DECLARING AN EMERGENCY. (Personnel & Public Affairs)**

**ORDINANCE NO.: 35-2021 AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT MEETINGS OF COUNCIL MAY BE HELD AT A LOCATION OTHER THAN VILLAGE HALL IN EXIGENT CIRCUMSTANCES, AMENDING SECTION 4.08, AND DECLARING AN EMERGENCY. (Personnel & Public Affairs)**

**ORDINANCE NO.: 36-2021 AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT THE TREASURER BE APPOINTED BY THE MAYOR AND CONFIRMED BY COUNCIL, AND THAT THE TREASURER PERFORM THE DUTIES PRESCRIBED BY THE CHARTER UNDER SUPERVISION OF THE MAYOR, AMENDING SECTIONS 3.04 AND 5.02, AND DECLARING AN EMERGENCY. (Personnel & Public Affairs)**

**ORDINANCE NO.: 37-2021 AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT THE DIRECTOR OF PUBLIC SAFETY SHALL MAKE AND PUBLISH WRITTEN RULES FOR THE GOVERNMENT OF THE POLICE DEPARTMENT, AMENDING SECTION 7.04, AND DECLARING AN EMERGENCY. (Personnel & Public Affairs)**

**ORDINANCE NO.: 38-2021 AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, REQUIRING THAT COUNCIL UTILIZE**

**ELECTRONIC MEANS OF COMMUNICATION, IN ADDITION TO THOSE METHODS CURRENTLY USED, TO PROVIDE NOTICE OF PUBLIC HEARINGS BEFORE COUNCIL, AMENDING SECTION 10.05, AND DECLARING AN EMERGENCY. (*Personnel & Public Affairs*)**

**ORDINANCE NO.: 39-2021 AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO STATE CONCISELY THE BEGINNING AND ENDING DATES FOR THE TERMS OF OFFICE OF THE MEMBERS OF THE PARK BOARD, AND NOT CHANGING SUCH TERMS NOW IN EFFECT, AMENDING SECTION 9.01, AND DECLARING AN EMERGENCY. (*Personnel & Public Affairs*)**

***THIRD READING: None.***

4. Comments from the audience (*3-minute maximum per person*).
5. Committee Hearings to discuss pending legislation.
  - A) Planning, Zoning & Insurance.
  - B) Finance & Appropriations.
  - C) Public Improvements.
  - D) Personnel & Public Affairs.
6. Reports of Council's Standing Committees.
7. Mayor's Report.
8. Reports of Village Officials.
9. Miscellaneous Business.
  - EnviroScience Report.
10. The next regular meeting of Council will be on **Monday, August 16, 2021, at 7:00 p.m.**

**RESOLUTION NO.: 44-2021**

**VILLAGE OF SILVER LAKE  
INTRODUCED BY: Administration**

**A RESOLUTION AUTHORIZING THE MAYOR AND CHIEF OF POLICE OF THE VILLAGE OF SILVER LAKE, OHIO, TO ENTER INTO A MUTUAL AID AGREEMENT AMONG CITIES, VILLAGES, AND TOWNSHIPS IN SUMMIT COUNTY FOR LAW ENFORCEMENT COOPERATION THROUGH A MOBILE FIELD FORCE UNIT AS DESCRIBED HEREIN, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Ohio Revised Code authorizes Law Enforcement Agencies to enter into an operational assistance agreement for law enforcement cooperation and assistance which crosses jurisdictional lines within Summit County, Ohio; and

**WHEREAS**, this Council supports such assistance through mutual aid agreement among municipalities and townships.

**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 and chief of Police, of the Village of Silver Lake, Ohio, be, and the same are hereby, authorized to enter into the Mobile Field Force Multijurisdictional Operational Assistance Mutual Aid Agreement attached hereto, and incorporated herein, as “Exhibit A”.

**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.** That this resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, thereof, for the reason that law enforcement mutual aid among political subdivisions must be effective immediately to protect the public safety, and provided it receives the necessary affirmative votes as required by the 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

**RESOLUTION NO.: 44-2021**

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

**CERTIFICATE OF THE FISCAL OFFICER**  
I hereby certify that the amount of money  
required to meet the Village's obligations under  
this contract has been lawfully appropriated and  
it is in the treasury or in the process of  
collection to the credit of an appropriate fund  
free from any previous encumbrance.

\_\_\_\_\_  
Clerk-Treasurer

\_\_\_\_\_  
Date

**ORDINANCE NO.: 45-2021**

**VILLAGE OF SILVER LAKE  
INTRODUCED BY: Administration**

**AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT MAYORS MUST RESIDE IN THE VILLAGE FOR FOUR (4) YEARS PRIOR TO THE DATE OF HIS/HER ELECTION, AMENDING SECTION 3.02, AND DECLARING AN EMERGENCY.**

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

**Section 1:** That the Summit County Board of Elections be and it is hereby requested and directed to place upon the ballot at the General Election to be held on November 2, 2021, the question of whether the Charter of the Village of Silver Lake shall be amended as fully set forth in the attached Exhibit "A."

**Section 2:** That the Clerk of Council be and is hereby directed to file this Ordinance with the Board of Elections in a timely manner to assure its inclusion on the general election ballot.

**Section 3:** That it is the desire of this Council that the ballots presented to the electors of the Village of Silver Lake, Ohio, shall be substantially in the following form:

Shall the Charter of the Village of Silver Lake, Ohio, be amended as proposed in Ordinance 45-2021, to change the residency requirement for Mayors from two (2) years to four (4) years having resided in the Village of Silver Lake, Ohio?

**Section 4:** That the Clerk of Council is further directed to mail not less than thirty (30) days prior to the election, a copy of the amendment(s) proposed herein to each elector whose name appears upon the registration books of the last regular Village or general election.

**Section 5:** **WHEREFORE**, this Ordinance 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 it is immediately necessary to file the Ordinance with the Board of Elections to meet time requirements for inclusion on the general election ballot, 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.

**ORDINANCE NO.: 45-2021**

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

**EXHIBIT A**

**ARTICLE III  
MAYOR**

**SECTION 3.02. QUALIFICATIONS.**

The Mayor shall have been for the past four (4) years prior to the date of his/her election, and during his/her term of office, shall be a bona fide resident and qualified elector of this Village.

The Mayor shall hold no other elective public office. He/She shall not be otherwise employed by, nor shall he/she hold any other office in this Village, except as otherwise provided by this Charter.

The Mayor shall be administered the oath of office prior to the first day of January following his/her election.



Handout for Discussion  
(Ordinance 45 – 2021)

**SECTION 3.02. QUALIFICATIONS.**

The Mayor shall have been for the past ~~two~~ **four (4)** years prior to the date of his/her election, and during his/her term of office, shall be a bona fide resident and qualified elector of this Village.

The Mayor shall hold no other elective public office. He/She shall not be otherwise employed by, nor shall he/she hold any other office in this Village, except as otherwise provided by this Charter.

The Mayor shall be administered the oath of office prior to the first day of January following his/her election.

(Amended by voters November 2, 1999)

**Source:** Council

**Rationale:** Raising the residency requirement for a Mayor to four years (from two years) should improve the familiarity of a Mayor with his/her constituency, the needs of the Village, and community values.

**ORDINANCE NO.: 32-2021**

**VILLAGE OF SILVER LAKE  
INTRODUCED BY: Administration**

**AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT THE NUMBER OF COUNCILMEMBERS REQUIRED TO OVERRIDE A MAYORAL VETO OF LEGISLATION PASSED BY COUNCIL BE INCREASED FROM FIVE (5) TO SIX (6), AMENDING SECTION 3.05, AND DECLARING AN EMERGENCY.**

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

**Section 1:** That the Summit County Board of Elections be and it is hereby requested and directed to place upon the ballot at the General Election to be held on November 2, 2021, the question of whether the Charter of the Village of Silver Lake shall be amended as fully set forth in the attached Exhibit "A."

**Section 2:** That the Clerk of Council be and is hereby directed to file this Ordinance with the Board of Elections in a timely manner to assure its inclusion on the general election ballot.

**Section 3:** That it is the desire of this Council that the ballots presented to the electors of the Village of Silver Lake, Ohio, shall be substantially in the following form:

Shall the Charter of the Village of Silver Lake, Ohio, be amended as proposed in Ordinance 32-2021, to provide that the number of Councilmembers required to override a Mayoral veto of legislation passed by Council be increased from five (5) to six (6)?

**Section 4:** That the Clerk of Council is further directed to mail, not less than thirty (30) days prior to the election, a copy of the amendment(s) proposed herein to each elector whose name appears upon the registration books of the last regular Village or general election.

**Section 5:** **WHEREFORE**, this Ordinance 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 it is immediately necessary to file the Ordinance with the Board of Elections to meet time requirements for inclusion on the general election ballot, 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.

**ORDINANCE NO.: 32-2021**

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

**EXHIBIT A**

**ARTICLE III  
MAYOR**

**SECTION 3.05. VETO POWER.**

Each resolution or ordinance adopted by Council shall be attested by the Clerk of Council who shall promptly present it to the Mayor for his approval or disapproval.

The Mayor may approve or disapprove the whole, or any part of, any resolution or ordinance appropriating money, but otherwise his approval or disapproval shall be addressed to the entire resolution or ordinance.

If the Mayor approves such legislation, he shall sign it and file it with the Clerk of Council. If the Mayor disapproves such legislation, or any item of such legislation appropriating money, he shall file it, together with his objections, in writing, with the Clerk of Council. His objections shall be entered in full on the journal of Council.

Unless the resolution or ordinance is filed with the Clerk of Council with the Mayor's written notice of disapproval within seven (7) days after presentation to the Mayor, it shall take effect as though the Mayor had signed it.

Upon the Mayor's disapproval, as provided herein, the Council may, but not later than its next regular meeting, reconsider the legislation, and if, upon such reconsideration, the legislation is approved by six (6) or more members of Council, it shall take effect notwithstanding the disapproval of the Mayor.

Handout for Discussion  
(Ordinance 32 – 2021)

**SECTION 3.05. VETO POWER.**

Each resolution or ordinance adopted by Council shall be attested by the Clerk of Council who shall promptly present it to the Mayor for his approval or disapproval.

The Mayor may approve or disapprove the whole, or any part of, any resolution or ordinance appropriating money, but otherwise his approval or disapproval shall be addressed to the entire resolution or ordinance.

If the Mayor approves such legislation, he shall sign it and file it with the Clerk of Council. If the Mayor disapproves such legislation, or any item of such legislation appropriating money, he shall file it, together with his objections, in writing, with the Clerk of Council. His objections shall be entered in full on the journal of Council.

Unless the resolution or ordinance is filed with the Clerk of Council with the Mayor's written notice of disapproval within seven (7) days after presentation to the Mayor, it shall take effect as though the Mayor had signed it.

Upon the Mayor's disapproval, as provided herein, the Council may, but not later than its next regular meeting, reconsider the legislation, and if, upon such reconsideration, the legislation is approved by five (~~5~~) (6) or more members of Council, it shall take effect notwithstanding the disapproval of the Mayor.

**Source:** Charter Review Commission Report:

**Rationale:** Currently five members of Council can override the Mayor's veto. Since most legislation is passed with at least five votes, overriding the Mayor's veto can be done by the same members who passed the legislation. To make overriding the veto only possible by six votes, the Mayor's veto takes on the significance it should have.

**ORDINANCE NO.: 33-2021**

**VILLAGE OF SILVER LAKE  
INTRODUCED BY: Administration**

**AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT COUNCILMEMBERS MUST RESIDE IN THE VILLAGE FOR TWO (2) YEARS PRIOR TO THE DATE OF HIS/HER ELECTION, AMENDING SECTION 4.04, AND DECLARING AN EMERGENCY.**

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

**Section 1:** That the Summit County Board of Elections be and it is hereby requested and directed to place upon the ballot at the General Election to be held on November 2, 2021, the question of whether the Charter of the Village of Silver Lake shall be amended as fully set forth in the attached Exhibit "A."

**Section 2:** That the Clerk of Council be and is hereby directed to file this Ordinance with the Board of Elections in a timely manner to assure its inclusion on the general election ballot.

**Section 3:** That it is the desire of this Council that the ballots presented to the electors of the Village of Silver Lake, Ohio, shall be substantially in the following form:

Shall the Charter of the Village of Silver Lake, Ohio, be amended as proposed in Ordinance 33-2021, to change the residency requirement for Councilmembers from one (1) year to two (2) years having resided in the Village of Silver Lake, Ohio?

**Section 4:** That the Clerk of Council is further directed to mail not less than thirty (30) days prior to the election, a copy of the amendment(s) proposed herein to each elector whose name appears upon the registration books of the last regular Village or general election.

**Section 5:** **WHEREFORE**, this Ordinance 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 it is immediately necessary to file the Ordinance with the Board of Elections to meet time requirements for inclusion on the general election ballot, 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.

**ORDINANCE NO.: 33-2021**

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

**EXHIBIT A**

**ARTICLE IV  
COUNCIL**

**SECTION 4.04. QUALIFICATIONS.**

Each councilmember elected at large shall have been for at least two (2) years prior to the date of his/her election, and during his/her term of office, shall be a qualified elector of the Village or territory annexed thereto.

Each councilmember elected to represent a district shall have been for at least two (2) years prior to the date of his/her election, and during his/her term of office, shall be a qualified elector of the district in which he/she lives, or territory annexed thereto.

A councilmember shall hold no other elective public office, or shall not be otherwise employed by, nor shall he/she hold any other office in this Village. A councilmember shall be administered the oath of office prior to the first day of January of the year following his/her election.



Handout for Discussion  
(Ordinance 33 – 2021)

**SECTION 4.04. QUALIFICATIONS.**

Each councilmember elected ~~at large~~ shall have been for at least ~~one year~~ *two (2) years* prior to the date of his/her election, and during his/her term of office, shall be a qualified elector of the Village or territory annexed thereto.

~~Each councilmember elected to represent a district shall have been for at least one year two (2) years prior to the date of his/her election, and during his/her term of office, shall be a qualified elector of the district in which he lives, or territory annexed thereto.~~

A councilmember shall hold no other elective public office, or shall not be otherwise employed by, nor shall he hold any other office in this Village. A councilmember shall be administered the oath of office prior to the first day of January of the year following his/her election.

**Source:** Charter Review Commission Report

**Rationale:** Raising the residency requirement for a Councilmember to two years (from one year) should improve the familiarity of a Councilmember with his/her constituency, the needs of the Village, and community values.

Amended to reflect changes requested during 7-13-21 Committee of the Whole Meeting.

**ORDINANCE NO.: 34-2021**

**VILLAGE OF SILVER LAKE  
INTRODUCED BY: Administration**

**AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT MEASURES RECOMMENDED BY THE MAYOR SHALL BE INCLUDED IN THE AGENDA OF COUNCIL, AMENDING SECTION 4.05, AND DECLARING AN EMERGENCY.**

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

**Section 1:** That the Summit County Board of Elections be and it is hereby requested and directed to place upon the ballot at the General Election to be held on November 2, 2021, the question of whether the Charter of the Village of Silver Lake shall be amended as fully set forth in the attached Exhibit "A."

**Section 2:** That the Clerk of Council be and is hereby directed to file this Ordinance with the Board of Elections in a timely manner to assure its inclusion on the general election ballot.

**Section 3:** That it is the desire of this Council that the ballots presented to the electors of the Village of Silver Lake, Ohio, shall be substantially in the following form:

Shall the Charter of the Village of Silver Lake, Ohio, be amended as proposed in Ordinance 34-2021, to provide that measures recommended by the Mayor shall be included in the agenda of Council?

**Section 4:** That the Clerk of Council is further directed to mail not less than thirty (30) days prior to the election, a copy of the amendment(s) proposed herein to each elector whose name appears upon the registration books of the last regular Village or general election.

**Section 5:** **WHEREFORE**, this Ordinance 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 it is immediately necessary to file the Ordinance with the Board of Elections to meet time requirements for inclusion on the general election ballot, 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.

**ORDINANCE NO.: 34-2021**

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

**EXHIBIT A**

**ARTICLE IV  
COUNCIL**

**SECTION 4.05. PRESIDENT OF COUNCIL.**

At the annual organization meeting of Council, the Council shall elect one of its members President of Council, who shall preside at all regular and special meetings thereof and establish the agendas of Council therefore, which agendas shall include measures recommended by the Mayor. At the same meeting Council shall elect one of its members Vice-President of Council, who shall perform all duties of the President of Council in the absence of the President.

The President of Council shall become Acting Mayor, when required by Section 3.06 hereof. If the President of Council shall succeed to the office of Mayor pursuant to Section 3.07 hereof, his office shall be vacant, and shall be filled pursuant to Section 4.16 hereof.

The President of Council, neither by virtue of holding such office nor in performing the duties of acting Mayor as provided in Section [3.06](#) of this Chapter, shall be deprived of his powers and rights or be relieved of his duties or obligations as a member of Council.

Handout for Discussion  
(Ordinance 34 – 2021)

**SECTION 4.05. PRESIDENT OF COUNCIL.**

At the annual organization meeting of Council, the Council shall elect one of its members President of Council, who shall preside at all regular and special meetings thereof, and establish ~~agendas therefore together with the Mayor, and become Acting Mayor when required by Section 3.06 hereof~~ *the agendas of Council therefore, which agendas shall include measures recommended by the Mayor*. At the same meeting, Council shall elect one of its members Vice-President of Council, who shall perform all duties of the President of Council in the absence of the President.

*The President of Council shall become Acting Mayor, when required by Section 3.06 hereof.* If the President of Council shall succeed to the office of Mayor pursuant to Section [3.07](#) hereof, his office shall be vacant, and shall be filled pursuant to Section [4.16](#) hereof.

The President of Council, neither by virtue of holding such office nor in performing the duties of acting Mayor as provided in Section [3.06](#) of this Chapter, shall be deprived of his powers and rights or be relieved of his duties or obligations as a member of Council.

**Source:** Charter Review Commission Report

**Rationale:** Currently, for the Mayor to introduce legislation on the agenda of Council, the President of Council must agree to include the Mayor's recommendation on the agenda. The Mayor has a duty under the Charter to recommend measures to Council as a whole. The change to §4.05 ensures that the Mayor's recommendations will be on the Council agenda.

**ORDINANCE NO.: 35-2021**

**VILLAGE OF SILVER LAKE  
INTRODUCED BY: Administration**

**AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT MEETINGS OF COUNCIL MAY BE HELD AT A LOCATION OTHER THAN VILLAGE HALL IN EXIGENT CIRCUMSTANCES, AMENDING SECTION 4.08, AND DECLARING AN EMERGENCY.**

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

**Section 1:** That the Summit County Board of Elections be and it is hereby requested and directed to place upon the ballot at the General Election to be held on November 2, 2021, the question of whether the Charter of the Village of Silver Lake shall be amended as fully set forth in the attached Exhibit "A."

**Section 2:** That the Clerk of Council be and is hereby directed to file this Ordinance with the Board of Elections in a timely manner to assure its inclusion on the general election ballot.

**Section 3:** That it is the desire of this Council that the ballots presented to the electors of the Village of Silver Lake, Ohio, shall be substantially in the following form:

Shall the Charter of the Village of Silver Lake, Ohio, be amended as proposed in Ordinance 35-2021, to provide that meetings of Council may be held at a location other than Village Hall in exigent circumstances?

**Section 4:** That the Clerk of Council is further directed to mail not less than thirty (30) days prior to the election, a copy of the amendment(s) proposed herein to each elector whose name appears upon the registration books of the last regular Village or general election.

**Section 5:** **WHEREFORE**, this Ordinance 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 it is immediately necessary to file the Ordinance with the Board of Elections to meet time requirements for inclusion on the general election ballot, 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.

**ORDINANCE NO.: 35-2021**

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

**EXHIBIT A**

**ARTICLE IV  
COUNCIL**

**SECTION 4.08. REGULAR MEETINGS.**

At 7:00 p.m. on the first Monday in January (unless such date is a holiday, then the first Tuesday in January) of each year, Council shall convene and organize. This meeting shall be considered a regular meeting of Council, and, when Council shall have organized and shall have disposed of all business pertaining thereto, it may consider such regular business as shall come before it. Thereafter, Council shall meet on such days and at such times as may be prescribed by its rules, regulations or bylaws, or by resolution or ordinance, except that it shall hold regular meetings at least once during each succeeding calendar month.

All meetings of Council shall be held at Village Hall, or in exigent circumstances, such other location accessible to the public, determined by the President of Council, the Vice President in the absence of the President, or the Mayor, in the absence of both officers of Council. All meetings of Council shall be open to the public as provided in Ohio Revised Code §121.22 as now enacted or amended.



Handout for Discussion  
(Ordinance 35 – 2021)

**SECTION 4.08. REGULAR MEETINGS.**

At 7:00 p.m. on the first Monday in January (unless such date is a holiday, then the first Tuesday in January) of each year, Council shall convene and organize. This meeting shall be considered a regular meeting of Council, and, when Council shall have organized and shall have disposed of all business pertaining thereto, it may consider such regular business as shall come before it. Thereafter, Council shall meet on such days and at such times as may be prescribed by its rules, regulations or bylaws, or by resolution or ordinance, except that it shall hold regular meetings at least once during each succeeding calendar month.

All meetings of Council shall be held at Village Hall, *or in exigent circumstances, such other locations accessible to the public, determined by the President of Council, the Vice President in the absence of the President, or the Mayor, in the absence of both officers of Council.* ~~and a~~ All meetings of Council shall be open to the public as provided in Ohio Revised Code Section 121.22, as now enacted or as amended.

**Source:** Charter Review Commission Report

**Rationale:** Currently, all meetings of Council must be held at Village Hall. We are allowed to meet otherwise during the 2020-2021 Pandemic by State legislation which is scheduled to expire. In exigent circumstances, Village officials should be able to change the location of Council Meetings at the local level.

**ORDINANCE NO.: 36-2021**

**VILLAGE OF SILVER LAKE  
INTRODUCED BY: Administration**

**AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT THE TREASURER BE APPOINTED BY THE MAYOR AND CONFIRMED BY COUNCIL, AND THAT THE TREASURER PERFORM THE DUTIES PRESCRIBED BY THE CHARTER UNDER SUPERVISION OF THE MAYOR, AMENDING SECTIONS 3.04 AND 5.02, AND DECLARING AN EMERGENCY.**

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

**Section 1:** That the Summit County Board of Elections be and it is hereby requested and directed to place upon the ballot at the General Election to be held on November 2, 2021, the question of whether the Charter of the Village of Silver Lake shall be amended as fully set forth in the attached Exhibit "A."

**Section 2:** That the Clerk of Council be and is hereby directed to file this Ordinance with the Board of Elections in a timely manner to assure its inclusion on the general election ballot.

**Section 3:** That it is the desire of this Council that the ballots presented to the electors of the Village of Silver Lake, Ohio, shall be substantially in the following form:

Shall the Charter of the Village of Silver Lake, Ohio, be amended as proposed in Ordinance 36-2021, to provide that the Treasurer be appointed by the Mayor and confirmed by Council, and that the Treasurer perform the duties prescribed by the Charter under supervision of the Mayor?

**Section 4:** That the Clerk of Council is further directed to mail not less than thirty (30) days prior to the election, a copy of the amendment(s) proposed herein to each elector whose name appears upon the registration books of the last regular Village or general election.

**Section 5:** **WHEREFORE**, this Ordinance 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 it is immediately necessary to file the Ordinance with the Board of Elections to meet time requirements for inclusion on the general election ballot, 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.

**ORDINANCE NO.: 36-2021**

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

**EXHIBIT A**

**ARTICLE III  
MAYOR**

**SECTION 3.04. EXECUTIVE AND ADMINSTRATIVE POWERS.**

The Mayor shall be the chief executive officer of the Village. He shall supervise the administration of all the affairs of the Village and the conduct and administration of all departments and divisions thereof except Council, Clerk of Council, and Solicitor.

The Mayor shall be the chief conservator of the peace within the Village. He shall see that all laws, regulations and ordinances are enforced therein.

The Mayor shall execute on behalf of the Village all authorized contracts, conveyances, evidences of indebtedness and all other instruments to which the Village is a party, and shall, where required, attach thereto the official seal of his offices.

The Mayor shall keep the Council advised of the condition and needs of the Village, and he shall recommend to Council such measures as he may deem necessary or expedient for the welfare of the Village.

The Mayor shall be the official and ceremonial head of the Village.

**ARTICLE V  
FINANCES**

**SECTION 5.02. TREASURER.**

The Treasurer shall be the fiscal and accounting officer of the Village and shall be appointed by the Mayor and confirmed by Council. The Treasurer may be a non-resident of the Village. The duties of the Treasurer shall include:

- a. Preparing an annual budget and financial reports;
- b. Receiving, collecting and depositing all monies due the Village, and signing all checks and vouchers for their disbursement. Money received for the Village by officers, employees, and boards and commissions should be reported and turned over to the Treasurer daily or at such intervals as he may deem expedient;
- c. Act as the custodian of official bonds and all instruments for the payment of money to the Village;

**ORDINANCE NO.: 36-2021**

- d. Auditing of bills, invoices, payrolls, or other claims against the Village, and determining the regularity and correctness of such items before submission to the Council;
- e. Performing all other financial duties imposed on him by the Mayor and Council, or by the Constitution or laws of the State of Ohio.

In the same manner, a Deputy Treasurer may be appointed to perform all duties of the Treasurer during his absence or disability.

Handout for Discussion  
(Ordinance 36 – 2021)

**SECTION 3.04. EXECUTIVE AND ADMINISTRATIVE POWERS.**

The Mayor shall be the chief executive officer of the Village. He shall supervise the administration of all the affairs of the Village and the conduct and administration of all departments and divisions thereof except Council, Clerk of Council, ~~Treasurer~~ and Solicitor.

The Mayor shall be the chief conservator of the peace within the Village. He shall see that all laws, regulations and ordinances are enforced therein.

The Mayor shall execute on behalf of the Village all authorized contracts, conveyances, evidences of indebtedness and all other instruments to which the Village is a party, and shall, where required, attach thereto the official seal of his offices.

The Mayor shall keep the Council advised of the condition and needs of the Village, and he shall recommend to Council such measures as he may deem necessary or expedient for the welfare of the Village.

The Mayor shall be the official and ceremonial head of the Village.

**SECTION 5.02 TREASURER.**

The Treasurer shall be the fiscal and accounting officer of the Village. ~~He shall be appointed by Council, removable only by Council, and shall be responsible to the Council for carrying out his duties, which include.~~ ***and shall be appointed by the Mayor and confirmed by Council. The Treasurer*** may be a nonresident of the Village, ~~and shall be responsible to the Council for carrying out his duties, which include.~~ ***The duties of the Treasurer shall include:***

- a) Preparing an annual budget and financial reports;
- b) Receiving, collecting and depositing all moneys due the Village, and signing all checks and vouchers for their disbursement. Money received for the Village by officers, employees, boards and commissions should be reported and turned over to the Treasurer daily or at such intervals as he may deem expedient;
- c) Act as the custodian of official bonds and all instruments for the payment of money to the Village.
- d) Auditing of bills, invoices, payrolls, or other claims against the Village, and determining the regularity and correctness of such items before submission to Council;
- e) Performing of all other financial duties imposed on him by any measure of Council, or by the Constitution or laws of the State of Ohio.

Council may appoint a Deputy Treasurer to perform all duties of the Treasurer during his absence or disability.

**Source:** Charter Review Commission Report

**Rationale:** Currently the Treasurer is appointed and removed from office solely by Council, and excluded from supervision by the Mayor. See §3.04. In 1999, the Village almost completed a transition to a Mayor-Council form of government, wherein Council passes laws and controls the Village Finances, and the Mayor is in charge of administering and executing the laws. The Mayor-Council form of government recognizes that division of responsibility, i.e., a separation of powers. The Treasurer's duties involve the administration of Finances and preparing measures for Council's consideration. Essentially these duties are an administrative function. Hence, the Treasurer should be responsible to the Mayor for those functions. Council still retains full control of passing (or not) fiscal measures sent to Council by the Mayor and the Treasurer. Day by day functions of the Treasurer will be facilitated by a coordinated, overall supervision of the Administration office. This system can best be established by the Treasurer being appointed by the Mayor and confirmed by Council. Removal of the Treasurer by the Mayor must also be confirmed by Council.

This grants a degree of independence to the Treasurer which is necessary to ensure professionalism. The Treasurer would no longer be excepted from administrative supervision by the Mayor.

**ORDINANCE NO.: 37-2021**

**VILLAGE OF SILVER LAKE  
INTRODUCED BY: Administration**

**AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE THAT THE DIRECTOR OF PUBLIC SAFETY SHALL MAKE AND PUBLISH WRITTEN RULES FOR THE GOVERNMENT OF THE POLICE DEPARTMENT, AMENDING SECTION 7.04, AND DECLARING AN EMERGENCY.**

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

**Section 1:** That the Summit County Board of Elections be and it is hereby requested and directed to place upon the ballot at the General Election to be held on November 2, 2021, the question of whether the Charter of the Village of Silver Lake shall be amended as fully set forth in the attached Exhibit "A."

**Section 2:** That the Clerk of Council be and is hereby directed to file this Ordinance with the Board of Elections in a timely manner to assure its inclusion on the general election ballot.

**Section 3:** That it is the desire of this Council that the ballots presented to the electors of the Village of Silver Lake, Ohio, shall be substantially in the following form:

Shall the Charter of the Village of Silver Lake, Ohio, be amended as proposed in Ordinance 37-2021, to provide that rules for the government of the Police Department be made and published by the Director of Public Safety as a function of the executive branch of government?

**Section 4:** That the Clerk of Council is further directed to mail not less than thirty (30) days prior to the election, a copy of the amendment(s) proposed herein to each elector whose name appears upon the registration books of the last regular Village or general election.

**Section 5:** **WHEREFORE**, this Ordinance 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 it is immediately necessary to file the Ordinance with the Board of Elections to meet time requirements for inclusion on the general election ballot, 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.



**ORDINANCE NO.: 37-2021**

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

**EXHIBIT A**

**ARTICLE VII  
DEPARTMENT OF PUBLIC SAFETY**

**SECTION 7.04. RULES FOR GOVERNMENT OF POLICE.**

The Director of Public Safety shall make and publish written rules for the government of the Police Department and the conduct and discipline of the members thereof.

Handout for Discussion  
(Ordinance 37 – 2021)

**SECTION 7.04. RULES FOR GOVERNMENT OF POLICE.**

The Director of Public Safety shall make and publish ~~with the approval of Council,~~ written rules for the government of the Police Department and the conduct and discipline of members thereof.

**Source:** Charter Review Commission Report

**Rationale:** A continuance of the rationale for changes to §5.02 can be carried forward to this section. In a Mayor-Council form of government, Council passes laws of a general nature with a focus on fiscal measures. That is the traditional separation of powers doctrine. The Charter Review Commission recommends that in §7.04, the language "with the approval of Council" be deleted, leaving the Department of Public Safety in charge of making and publishing rules for the internal affairs of the Police Department, including the conduct and discipline of the Department. In a Mayor-Council form of government, the administration of the Police Department is exclusively an executive function. The legislative function deals with the "power of the purse strings", i.e., control of the finances of each department, which control is substantial. In addition, who better to set the standards for the regulation of and the conduct and discipline of the police officers than those trained in police conduct and discipline?

**ORDINANCE NO.: 38-2021**

**VILLAGE OF SILVER LAKE  
INTRODUCED BY: Administration**

**AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, REQUIRING THAT COUNCIL UTILIZE ELECTRONIC MEANS OF COMMUNICATION, IN ADDITION TO THOSE METHODS CURRENTLY USED, TO PROVIDE NOTICE OF PUBLIC HEARINGS BEFORE COUNCIL, AMENDING SECTION 10.05, AND DECLARING AN EMERGENCY.**

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

**Section 1:** That the Summit County Board of Elections be and it is hereby requested and directed to place upon the ballot at the General Election to be held on November 2, 2021, the question of whether the Charter of the Village of Silver Lake shall be amended as fully set forth in the attached Exhibit "A."

**Section 2:** That the Clerk of Council be and is hereby directed to file this Ordinance with the Board of Elections in a timely manner to assure its inclusion on the general election ballot.

**Section 3:** That it is the desire of this Council that the ballots presented to the electors of the Village of Silver Lake, Ohio, shall be substantially in the following form:

Shall the Charter of the Village of Silver Lake, Ohio, be amended as proposed in Ordinance 38-2021, to require that Council utilize electronic means of communication, in addition to those methods currently used, to provide notice of public hearings before Council?

**Section 4:** That the Clerk of Council is further directed to mail not less than thirty (30) days prior to the election, a copy of the amendment(s) proposed herein to each elector whose name appears upon the registration books of the last regular Village or general election.

**Section 5:** **WHEREFORE**, this Ordinance 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 it is immediately necessary to file the Ordinance with the Board of Elections to meet time requirements for inclusion on the general election ballot, 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.

**ORDINANCE NO.: 38-2021**

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

**EXHIBIT A**

**ARTICLE X  
PLANNING COMMISSION AND ZONING PROCEDURE**

**SECTION 10.05. PUBLIC HEARINGS BY COUNCIL.**

Council shall hold a public hearing on each resolution or ordinance enacting, amending, or repealing zoning regulations, and shall give thirty (30) days' public notice of the time and place thereof in the manner prescribed by the laws of the State of Ohio.

Except as provided below, written notice of the hearing shall also be mailed by the Clerk of Council, by first class mail, at least thirty (30) days before the date of the public hearing, to the owners of property within and contiguous to the area which is the subject of the proposed resolution or ordinance. Such written notices shall be mailed to the addresses of such appearing on the current tax duplicate of the County.

In addition to the methods of public notice recited herein, public notice applicable to this section shall be supplemented by electronic methods of notice. Council shall determine which method or methods of electronic notice shall be utilized.

Handout for Discussion  
(Ordinance 38 – 2021)

**ARTICLE X  
PLANNING COMMISSION AND ZONING PROCEDURE**

**SECTION 10.05. PUBLIC HEARINGS BY COUNCIL.**

Council shall hold a public hearing on each resolution or ordinance enacting, amending, or repealing zoning regulations, and shall give thirty (30) days' public notice of the time and place thereof in the manner prescribed by the laws of the State of Ohio.

Except as provided below, written notice of the hearing shall also be mailed by the Clerk of Council, by first class mail, at least thirty (30) days before the date of the public hearing, to the owners of property within and contiguous to the area which is the subject of the proposed resolution or ordinance. Such written notices shall be mailed to the addresses of such appearing on the current tax duplicate of the County.

*In addition to the methods of public notice recited herein, public notice applicable to this section shall be supplemented by electronic methods of notice. Council shall determine which method or methods of electronic notice shall be utilized.*

**Source:** Charter Review Commission Report

**Rationale:** The Charter Review Commission felt that in today's electronic age, additional methods of public notice for proposed zoning measures should be utilized. The Commission recommends that Council should have the positive duty to use electronic methods of notice, in addition to the traditional methods, to communicate more effectively with the public, concerning public hearings before Council on zoning matters. Council, at its discretion, shall decide upon the method of electronic notice to be employed for public notice.

**ORDINANCE NO.: 39-2021**

**VILLAGE OF SILVER LAKE  
INTRODUCED BY: Administration**

**AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE BALLOT AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 2, 2021, AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SILVER LAKE, OHIO, TO STATE CONCISELY THE BEGINNING AND ENDING DATES FOR THE TERMS OF OFFICE OF THE MEMBERS OF THE PARK BOARD, AND NOT CHANGING SUCH TERMS NOW IN EFFECT, AMENDING SECTION 9.01, AND DECLARING AN EMERGENCY.**

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

**Section 1:** That the Summit County Board of Elections be and it is hereby requested and directed to place upon the ballot at the General Election to be held on November 2, 2021, the question of whether the Charter of the Village of Silver Lake shall be amended as fully set forth in the attached Exhibit "A."

**Section 2:** That the Clerk of Council be and is hereby directed to file this Ordinance with the Board of Elections in a timely manner to assure its inclusion on the general election ballot.

**Section 3:** That it is the desire of this Council that the ballots presented to the electors of the Village of Silver Lake, Ohio, shall be substantially in the following form:

Shall the Charter of the Village of Silver Lake, Ohio, be amended as proposed in Ordinance 39-2021, to state concisely the beginning and ending dates for the terms of office of the members of the Park Board, and not changing such terms now in effect?

**Section 4:** That the Clerk of Council is further directed to mail not less than thirty (30) days prior to the election, a copy of the amendment(s) proposed herein to each elector whose name appears upon the registration books of the last regular Village or general election.

**Section 5:** **WHEREFORE**, this Ordinance 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 it is immediately necessary to file the Ordinance with the Board of Elections to meet time requirements for inclusion on the general election ballot, 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.



**ORDINANCE NO.: 39-2021**

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

**EXHIBIT A**

**ARTICLE IX  
PARK BOARD**

**SECTION 9.01. COMPOSITION AND TERM.**

The Park Board shall consist of seven (7) members, appointed by the Mayor and confirmed by Council, who shall be qualified electors of the Village, not holding other municipal offices therein. Each member shall serve a term of four (4) years and until his/her successor is appointed, confirmed and qualified. Board members appointed for terms beginning on January 1, 2018 shall serve until December 31, 2021. Board members appointed for terms beginning on January, 2020, shall serve until December 31, 2023. The Mayor shall give priority for appointment to a qualified elector of the municipality who demonstrates membership in a Village organization dedicated to the preservation, conservation, and beautification of the Village.

All members of the Park Board shall serve without compensation

A vacancy in the Park Board shall be filled by mayoral appointment with the confirmation of Council and such appointee shall hold office for the unexpired term and until his/her successor is appointed, confirmed and qualified.

Handout for Discussion  
(Ordinance 39 – 2021)

**SECTION 9.01. COMPOSITION AND TERM.**

*Prior to January 1, 2006, The Park Board shall consist of six (6) Seven (7) members, appointed by the Mayor and confirmed by Council, who shall be qualified electors of the Village, not holding other municipal offices therein. Each member shall serve a term of four (4) years and until his/her successor is appointed, confirmed and qualified. Board members appointed for terms beginning on January 1, 2018 shall serve until December 31, 2021. Board members appointed for terms beginning on January, 2020, shall serve until December 31, 2023. The Mayor shall give priority for appointment to a qualified elector of the municipality who demonstrates membership in a Village organization dedicated to the preservation, conservation, and beautification of the Village.*

~~and on January 1, 2006, shall consist of seven (7) members who shall be qualified electors of the Village not holding other municipal office therein. Four of said members shall be elected and two shall be appointed and on January 1, 2006, an additional member shall be appointed, and all shall serve without compensation.~~

~~The Mayor shall appoint six members of the Park Board, with terms to begin on January 1, 1960, to be terminated on December 31, 1961, or when their successors are elected or appointed and qualified as hereinafter prescribed.~~

~~At the regular municipal election to be held in November, 1961, four members of the Park Board shall be elected. The terms of the two members receiving the highest number of votes shall begin on January 1, 1962 and shall continue for a period of four years, or until their successors are elected and qualified. The terms of the two members receiving the third and fourth highest number of votes shall begin on January 1, 1962 and shall continue for a period of two years, or until their successors are elected and qualified.~~

~~At the regular meeting of Council to be held in December, 1961, the Mayor shall appoint two members of the Park Board. One such member shall be appointed to serve for a period of two years beginning January 1, 1962, and the other such member shall be appointed to serve for a period of four years beginning January 1, 1962, or until their successors are appointed and qualified. At the regular meeting of Council to be held December, 2005, the Mayor shall appoint one additional member to serve for a period of four years, beginning January 1, 2006, constituting three appointed members serving.~~

~~The Park Board upon the expiration of the terms of the members of the Park Board elected or appointed as provided above, their successors shall be appointed by the Mayor and confirmed by Council for successive terms of four (4) years. At the first expiration of term, priority shall be~~

~~given to a qualified elector of the Village who demonstrates membership in a Village organization dedicated to the preservation, conservation and beautification of the Village.~~

All members of the Park Board shall serve without compensation.

A vacancy on the Park Board shall be filled by mayoral appointment with the confirmation of Council and such appointee shall hold office for the unexpired term and until his successor is appointed and qualified.

**Source:** Charter Review Commission Report

**Rationale:** The substance of the current §9.01 is intact. However, the Charter Review Commission has eliminated from this Section the historical chronology of the "staggered terms" system which was both lengthy and confusing. The staggered terms remain but the start and end dates are updated.