

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

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Wednesday, October 27, 2021, 7:00 p.m.

SPECIAL MEETING OF COUNCIL

1. Pledge of Allegiance.
2. Roll call of Council.
3. Ordinances and Resolutions:

FIRST READING:

RESOLUTION NO.: 63-2021 A RESOLUTION DECLARING IT NECESSARY TO IMPROVE ENGLEWOOD DRIVE BETWEEN THE TERMINI OF GRAHAM ROAD AND LAKE ROAD BY PAVING, GRADING, CONSTRUCTING AND RECONSTRUCTING CURBS, CONCRETE SIDEWALKS, DRIVEWAY APPROACHES, STORM SEWERS AND WATER MAINS, AND DECLARING AN EMERGENCY.

SECOND READING: None.

THIRD READING: None.

4. Miscellaneous Business.
 - Discussion of Veterans Bike Trail.

FINANCE & APPROPRIATIONS COMMITTEE MEETING

- Discussion regarding the 2022 Operating Budget.

RESOLUTION NO.: 63-2021

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

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE ENGLEWOOD DRIVE BETWEEN THE TERMINI OF GRAHAM ROAD AND LAKE ROAD BY PAVING, GRADING, CONSTRUCTING AND RECONSTRUCTING CURBS, CONCRETE SIDEWALKS, DRIVEWAY APPROACHES, STORM SEWERS AND WATER MAINS, AND DECLARING AN EMERGENCY.

BE IT RESOLVED by the Council of the Village of Silver Lake, Summit County, Ohio, that:

SECTION 1. It is necessary to improve Englewood Drive between the termini of Graham Road and Lake Road by paving, grading, constructing and reconstructing curbs, concrete sidewalks, driveway approaches, storm sewers and water mains, all together with the necessary appurtenances thereto (the "Improvement").

SECTION 2. This Council approves the plans, specifications, profiles and cost estimate of the Improvement, prepared by Enviroscience, Inc. (the "Consulting Engineer") and now on file in the office of the Clerk-Treasurer. The Improvement must be made in accordance with the plans, specifications and profiles for the Improvement.

SECTION 3. This Council finds and determines the following:

- (a) The Improvement is conducive to the public health, convenience and welfare of this Village and its inhabitants.
- (b) The lots and lands to be assessed as described in Section 4 of this resolution are specially benefited by the Improvement.
- (c) That pursuant to Section 727.09, the Improvement may be treated as one single improvement, which may be improved by one contract.

SECTION 4. The costs of the Improvement shall be paid as follows:

- (a) A portion of the costs of the Improvement will be assessed in proportion to the benefits that may result from the Improvement upon all lots and lands bounding and abutting on the Improvement between the termini described in Section 1 of this resolution. That portion will be assessed in the following amounts:
 - (1) For the cost of constructing and reconstructing curbs, \$14.09 times the number of feet of benefited, non-Village owned property bounding and abutting on the Improvement.
 - (2) For the cost of constructing and reconstructing sidewalks, \$24.37 times the number of feet of benefited, non-Village owned property bounding and abutting the Improvement.
The assessed portion will include interest on the securities issued in anticipation of the collection of special assessments.
- (b) The Village will pay the balance of the whole cost of the Improvement, including the cost of intersections.

SECTION 5. The cost of the Improvement will include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and of printing, serving and publishing

RESOLUTION NO.: 63-2021

notices, resolutions and ordinances; the amount of damages resulting from the Improvement assessed in favor of any owner of land affected by the Improvement and the interest on those damage amounts; the costs incurred in connection with the preparation, levy and collection of the special assessments; the cost of purchasing, appropriating and otherwise acquiring any real estate or interests in real estate required for the Improvement; the costs of legal services, including obtaining an approving legal opinion; the cost of labor and material; and interest on securities issued in anticipation of the levy and collection of the special assessments; together with all other necessary expenditures.

SECTION 6. The Consulting Engineer is authorized and directed to prepare or cause to be prepared and filed in the office of the Clerk-Treasurer the estimated assessments of the cost of the Improvement described in this Resolution. Those estimated assessments shall be based upon the estimate of cost of the Improvement now on file in the office of the Clerk-Treasurer and shall be prepared pursuant to the provisions of this Resolution. When the estimated assessments have been so filed, the Clerk-Treasurer shall cause notice of the adoption of this Resolution and the filing of the estimated assessments to be served in the manner provided by law on the owners of all lots and lands to be assessed.

SECTION 7. Any special assessment for the Improvement may be paid in cash within 30 days after the assessing ordinance for the Improvement is enacted. If not paid in cash within that 30-day period, the special assessments for the Improvement must be paid in 20 semiannual payments, representing 10 annual installments, with interest on the unpaid principal amount of each assessment at the rate borne by the securities issued in anticipation of the collection of the unpaid special assessments.

SECTION 8. Securities of the Village may be issued in anticipation of the collection of the special assessments to be collected in installments, in an amount equal to those assessments, and anticipatory securities may be issued in anticipation of those securities and the levy of the special assessments. The remainder of the whole cost of the Improvement, after application of the securities proceeds and the special assessments, shall be paid from the proceeds of other securities of the Village or from other funds appropriated by this Council for such purpose.

SECTION 9. This Council directs the Clerk-Treasurer to deliver a certified copy of this resolution to the County Fiscal Officer.

SECTION 10. This Council finds and determines that all formal actions of this Council or of any of its committees concerning and relating to the adoption of this Resolution were taken in open meetings of this Council or of its committees and that all deliberations of this Council or of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

SECTION 11. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village and for the further reason that this resolution is required to be immediately effective to provide for the construction of the Sidewalk Improvements, which is needed to enhance the vehicular and pedestrian safety in the Village, and provided this resolution receives the necessary affirmative votes as required by the Charter of the Village, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

RESOLUTION NO.: 63-2021

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