

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**Monday, March 7, 2022****7:00 p.m.**

The Silver Lake Village Council met in regular session on Monday, March 7, 2022, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio. The meeting was only in-person.

With Council President William M. Church presiding, the meeting was called to order at 7 p.m. Mr. Church led the Pledge of Allegiance.

These members were present and responded to roll call: Mr. Dann Nivens, Mr. Phil Kaplan, Mr. Matthew Plesich, Mr. William Church, Mrs. Therese Dunphy and Mr. Christopher Scott. Members of Council present were 6; members absent were 1: Mrs. Betsy Meyer. Council voted unanimously to excuse Mrs. Meyer.

Mr. Church gave the floor to Mayor Bernie Hovey for the 2022 State of the Village Address. [Full address attached to these minutes.] Mr. Church thanked Mayor Hovey.

Mr. Church asked for additions or corrections to the February 22nd and February 24th minutes. [There being no major corrections, both were approved as submitted.] He called for the readings.

First Reading:

RESOLUTION NO.: 21-2022 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ENVIROSCIENCE, INC. TO PROVIDE OVERSIGHT SERVICES FOR THE OUTLOOK DRIVE WATERLINE REPLACEMENT PROJECT IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

RESOLUTION NO.: 22-2022 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ENVIROSCIENCE, INC. FOR STORMWATER SEWER MONITORING IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

ORDINANCE NO.: 23-2022 AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

ORDINANCE NO.: 24-2022 AN ORDINANCE AMENDING THE SALARY ORDINANCE OF THE VILLAGE OF SILVER LAKE, OHIO, TO ESTABLISH THE FULLTIME POSITION OF ASSISTANT TO THE CLERK-TREASURER AND COMPENSATION THEREFORE, EFFECTIVE JULY 1, 2022. *(Personnel & Public Affairs)*

RESOLUTION NO.: 25-2022 A RESOLUTION DECLARING MARCH 2022 AS DEVELOPMENTAL DISABILITIES AWARENESS MONTH IN THE VILLAGE OF SILVER LAKE AND MARCH 7, 2022, AS INCLUSION DAY, SUPPORTING PEOPLE OF ALL DISABILITIES, JOINING WITH THE SUMMIT COUNTY DEVELOPMENTAL DISABILITIES BOARD IN CALLING FOR FURTHER IMPROVEMENTS FOR THOSE WITH DISABILITIES, AND DECLARING AN EMERGENCY. *(Personnel & Public Affairs)*

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RESOLUTION NO.: 26-2022 A RESOLUTION TO RESOLVE A CLAIM DIRECTED TO THE VILLAGE OF SILVER LAKE, FILED AS A MORAL CLAIM BY CAROLE AND LARRY RICE, FOR DAMAGES DONE TO THE RESIDENTIAL DWELLING AT 3036 HARRIETT ROAD, AND DECLARING AN EMERGENCY. *(Personnel & Public Affairs)*

RESOLUTION NO.: 27-2022 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO ASSIGN LAKE RIGHT PRIVILEGES OF VACANT SILVER LAKE ESTATES LOT #1 OWNED BY THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY. *(Planning, Zoning & Insurance)*

RESOLUTION NO.: 28-2022 A RESOLUTION APPROVING THE CLERK-TREASURER OF SILVER LAKE VILLAGE TO AID THE CITY OF NEWTON FALLS, OHIO, BY BEING AVAILABLE AT LEAST ONE DAY PER WEEK DURING BUSINESS HOURS TO PERFORM THE DUTIES OF FINANCE DIRECTOR FOR THE CITY ON A PART TIME BASIS UNDER THE CONDITIONS HEREIN, AND DECLARING AN EMERGENCY. *(Planning, Zoning & Insurance)*

Second Reading: *None.*

Third Reading:

ORDINANCE NO.: 13-2022 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$3,000,000 TO PAY THE PROPERTY OWNERS' PORTION, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, AND THE CITY'S PORTION OF THE COSTS OF IMPROVING 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, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

Comments from the audience (3 minutes each):

Ari Parianos, resident: Hello. My name is Ari and I'm a Girl Scout Cadette. I'd like to build a little library to contribute to my community and earn my Silver Award. A little library is a take a book, leave a book free exchange. They come in many shapes and sizes, but the most common is a small wooden box. Anyone may take a book or bring a book to share. I'd like to put the little library at the end of my driveway since there's a lot of families in my neighborhood. I want to make it easier for kids to access books and get into reading. I want my library to have books for all ages. I want to make a library because I love reading. Reading isn't just a way to learn new things; you can escape into a new world, too. I plan to walk around my community to inform my neighbors about the library and ask if they'd like to donate some books. I intend to keep a collection to rotate books throughout the year, including seasonal books. I've prepared a poll for my community about which genres should be in my library. My goal is to finish the project by the end of May. Thank you. [Various Councilmembers voiced support, and it was said since the library would be on Ms. Parianos' property, she wouldn't need any special permissions or permits from the Village.]

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Danielle and David Williams, residents: Hello. We live on Chautauqua; Council knows we have a flooding issue. Our house is on the lower end of the cul-de-sac, and our flooding is very bad. I know there are plans to raise up the street, but is that the only plan to deal with this? I have terrible flooding in my backyard; I can't put in a shed or a fence because they'd be in water. Please fix it.

Jamie Armstrong, Summit County Developmental Disabilities Board Director of Legal Services: Good evening, Council. I'd just like to thank the Village of Silver Lake, on behalf of our superintendent and entire Board, for putting developmental disabilities awareness month on this agenda. We try to bring awareness to the community and employers, to get opportunities for people to prove what they can do. We're trying to cover the county, so our superintendent is at another meeting, but I'd like to thank Council, the mayor, everyone on her behalf. We hope to get into our new building in Cuyahoga Falls by May; there's been some issues, but we're hoping. On a personal note, I'd like to thank Mayor Hovey because his door was always open to me when I was mayor of Munroe Falls. Thank you.

FINANCE AND APPROPRIATIONS COMMITTEE - Mrs. Dunphy

RESOLUTION NO.: 21-2022

Mrs. Dunphy read the legislation and invited Mr. Lipan to explain. Mr. Lipan said this was the same as the Englewood oversight. EnviroScience [ES] would be doing the same tasks, i.e., change orders, payroll, contractor questions, etc.

Roll call to suspend the rules	Yes	6	No	0
Roll call to adopt	Yes	6	No	0

FINANCE AND APPROPRIATIONS COMMITTEE - Mrs. Dunphy

RESOLUTION NO.: 22-2022

Mrs. Dunphy read the legislation and clarified that ES wanted a review of monitoring locations, given the changes since the 2015 study. Mr. Nivens asked whether this would be a repeat of that study. Mrs. Dunphy said things had changed since 2015; the science and best practices have evolved. Mr. Kaplan said the Village had been trying to implement the suggestions from the 2015 study, and asked whether ES could focus more on numbers and what projects would be the best bang for the buck. Mrs. Dunphy clarified the data and study was step one to formulate suggestions for projects and identify problem areas; exact numbers would come later. Mr. Plesich asked whether the Village would keep redoing this study, and whether ES could just do water testing to see improvements; there were only so many outflows into the lake. Mr. Kaplan questioned the need to redo the study. Everyone would like to see the results of the Village's efforts. Mrs. Dunphy said having data from before and after the Englewood Project would help show the impact of such projects. Mrs. Dunphy noted ES had included meetings with Council in the proposal, and she saw those meetings as the middle step between the data gathering and presenting and the more money-focused decisions about specific suggestions.

It was decided to hold Res. 22-2022 for another reading and to ask an ES representative to be available for questions at the next reading.

FINANCE AND APPROPRIATIONS COMMITTEE - Mrs. Dunphy

ORDINANCE NO.: 23-2022

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Mrs. Dunphy read the legislation and invited Mr. Housley to explain. Mr. Housley said this legislation covers the study in Res. 22-2022, and oversight and construction of the Outlook waterline replacement. W. H. Drane [outside custodian of Village’s codified ordinances] and banking fees, which were higher than estimated, were also covered. Mrs. Dunphy asked whether Council wanted to move forward with Ord. 23-2022, given that it involved Res. 22-2022. Mr. Housley stated Ord. 23-2022 could wait. Mr. Lipan asked whether the Outlook contractor could still be paid, as work was starting soon. It was determined the contractor couldn’t be paid until Ord. 23-2022 was passed. Mr. Housley said if Council passed Ord. 23-2022 and then changed the amount in Res. 22-2022, he could bring more legislation to correct things. Council decided to vote on Ord. 23-2022.

Roll call to suspend the rules	Yes	6	No	0
Roll call to adopt	Yes	6	No	0

FINANCE AND APPROPRIATIONS COMMITTEE - Mrs. Dunphy

ORDINANCE NO.: 13-2022

Mrs. Dunphy read the legislation and opened the floor. It was said the Village might want to keep this path open and didn’t have all the necessary information. Mrs. Dunphy asked if Council wanted to table it to a date specific. Various Councilmembers voiced support.

Roll call to table to April 4, 2022	Yes	6	No	0
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Mrs. Dunphy questioned an employee milage reimbursement. Mr. Lipan explained the employee had to pick up a plow part from Mansfield during a snowstorm. The payment of claims dated Feb. 22, 2022, was accepted as distributed.

The payment of claims dated Feb. 25, 2022, was accepted as distributed.

PERSONNEL & PUBLIC AFFAIRS COMMITTEE – Mr. Plesich

ORDINANCE NO.: 24-2022

Mr. Plesich read the legislation and opened the floor. There was no discussion.

Roll call to suspend the rules	Yes	6	No	0
Roll call to adopt	Yes	6	No	0

PERSONNEL & PUBLIC AFFAIRS COMMITTEE – Mr. Plesich

RESOLUTION NO.: 25-2022

Mr. Plesich read the legislation and opened the floor. There was no discussion.

Roll call to suspend the rules	Yes	6	No	0
Roll call to adopt	Yes	6	No	0

PERSONNEL & PUBLIC AFFAIRS COMMITTEE – Mr. Plesich

RESOLUTION NO.: 26-2022

Mr. Plesich read the legislation and opened the floor. Mr. Church asked if there was any additional information Council should be aware of. Mr. Lipan said no.

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Roll call to suspend the rules	Yes	6	No	0
Roll call to adopt	Yes	6	No	0

PLANNING, ZONING & INSURANCE COMMITTEE – Mr. Scott

RESOLUTION NO.: 27-2022

Mr. Scott read the legislation and asked the mayor how often the Village assigned lake rights. The mayor replied the Village sought bids every year usually, but there had been several multi-year agreements. It was clarified the residents receiving lake rights would pay the Village \$1,000 for the Village’s lake rights and would also pay Silver Lake Estates the necessary fees for lake upkeep required of all who have lake rights. Mr. Kaplan spoke of the residents receiving lake rights and said they were very excited to be in Silver Lake and wanted to raise their family on the lake. He said they would be interested in a multi-year arrangement, and he wanted to tell Council that. The mayor said the Village has done multi-year contracts before, but those weren’t the terms offered this time, so the Village can’t do it this year. Next year, the Village would accept multi-year bids.

Roll call to suspend the rules	Yes	6	No	0
Roll call to adopt	Yes	6	No	0

PLANNING, ZONING & INSURANCE COMMITTEE – Mr. Scott

RESOLUTION NO.: 28-2022

Mr. Scott read the legislation and opened the floor. It was clarified Mr. Housley had been working with Newton Falls for 6 months. Mr. Scott asked why the legislation said, “at least” when previous discussions had settled on only 1 day/wk. Mr. Housley answered his intent was to be at Newton Falls only 1 day/wk. If Mr. Housley was needed more than that, for an extreme, isolated event, the wording in the legislation allowed him to bill Newton Falls for that additional time. Mrs. Dunphy noted that the legislation also stated the Village would receive 40 hrs./wk. of Mr. Housley’s time.

Roll call to suspend the rules	Yes	6	No	0
Roll call to adopt	Yes	6	No	0

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey: I think you’ve heard enough from me tonight.

Mr. Robert Heydorn, Village Solicitor: Just one thing: we’re still in talks with Stow regarding the memorandum of understanding. The status is ongoing; we’ll keep you informed.

Chief Jamie Norris, Chief of Police: Hopefully, we’ll be swearing-in a new full-time officer at the next Council meeting. That’s all.

Mr. Mark Lipan, Service Director: The Englewood work started strong until they hit a vein of sandstone about 7 ft. deep and 10 ft. wide. It slowed them down; they were putting in a pipe every 20 min., but since they hit that, it’s a pipe every hour. [Mr. Church mentioned the lack of lighting in the area. Chief Norris said it had been reported before.] We know. FirstEnergy dropped the ball; we talked to our contact, and they should be sending someone out.

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7:00 p.m.

We need to take down all the trees on the Village’s property at the end of Highland near Graham Rd. They’re falling like matchsticks; one fell yesterday and one fell today. We’re working with the Estates to find out whose property they landed on. It’s about a dozen big trees.

Mr. Heydorn added that area has been an enigma for years. Part of it was owned by the Village, and part was owned by the Estates. The limits placed on the Estates as a trust didn’t allow for just giving the land to the residential properties adjoining it. [Mr. Fred W. Johnson, Chair of the Silver Lake Estates Board of Trustees, was in the audience and agreed that the situation was an enigma.]

Mr. Nivens mentioned he received a call from a resident on Chautauqua about the road flooding. He asked if there was a way the flooding could be taken care of earlier, and Mr. Scott agreed. The chief said he told people to call the non-emergency dispatch [330-929-8771] to report the flooding. Mr. Lipan said he had an engineering firm look at the situation. Raising the road about 15 in. would ensure the water stayed in the catch basins, and was estimated to cost around \$200,000. When the river rose, it came through into the catch basins and flooded several properties. [Danielle and David Williams expressed their discontent with the water on their property. They said it was not properly disclosed to them and might have affected their decision to move into their house. Mr. Heydorn said perhaps the required disclosure form given to the Williams was not filled in correctly. Mr. Lipan would speak with them after the meeting.] Mr. Scott recalled a resident raising a property up, without Village permission. The resident has shown interest in donating the property for a tax write-off; maybe the Village could use it for drainage.

Mr. Sean Housley, Clerk-Treasurer: We’ve closed and reconciled February. All vendors have been paid. I submitted the OWDA [Ohio Water Development Authority] applications for Englewood and Outlook; we should hear something by the end of March. That’s all.

Miscellaneous Business:

Council applauded Ms. Ari Parianos on her efforts to better her community.

The mayor’s ad hoc watershed committee would be meeting on Tuesday, March 15th at 6 p.m.

There being no further questions or comments, Council adjourned at 8:15 p.m. The next regular Council Meeting will be on Monday, March 22, 2022, at 7 p.m.

APPROVED:


William M. Church, President of Council

ATTEST:


Sean M. Housley, CPA, Clerk-Treasurer
prepared by: Kathryn Kleinhans, Assistant to the Clerk-Treasurer