

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**Monday, June 20, 2022****7 p.m.**

The Silver Lake Village Council met in regular session on Monday, June 20, 2022, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio. The meeting was in-person and on Zoom.

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, Mrs. Betsy Meyer and Mr. Christopher Scott. Members of Council present were 7; members absent were 0.

Mr. Church asked for additions or corrections to the June 6th minutes. [There being none, the minutes were approved.] He called for the readings.

First Reading:

ORDINANCE NO.: 44-2022 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.: 45-2022 AN ORDINANCE TRANSFERRING UP TO \$902,327 FROM THE GENERAL FUND (1001) TO THE GENERAL CAPITAL IMPROVEMENTS FUND (4101) RELATED TO THE STREET INFRASTRUCTURE PORTION OF THE ENGLEWOOD PROJECT, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

RESOLUTION NO.: 46-2022 A RESOLUTION APPROVING CHANGE ORDERS FROM KENMORE CONSTRUCTION CO., INC., FOR THE 2022 ENGLEWOOD ROAD IMPROVEMENT PROJECT IN THE AMOUNT OF \$13,083.12, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

RESOLUTION NO.: 47-2022 A RESOLUTION AUTHORIZING THE MAYOR TO EXPEND FUNDS NOT EXCEEDING \$29,585, FOR THE PROVISION OF BULK ROCK SALT FROM CARGILL, INC., IN ACCORDANCE WITH THE COMMUNITY UNIVERSITY EDUCATION (CUE) PURCHASING ASSOCIATION. *(Finance & Appropriations)*

RESOLUTION NO.: 48-2022 A RESOLUTION AUTHORIZING THE MAYOR TO CONTRACT WITH OHM ADVISORS FOR VILLAGE ENGINEER SERVICES BEGINNING JUNE 2022 THROUGH DECEMBER 31, 2024, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

RESOLUTION NO.: 49-2022 A RESOLUTION DESIGNATING THE CLERK-TREASURER, ON BEHALF OF ALL ELECTED OFFICIALS OF THE VILLAGE OF SILVER LAKE, TO ATTEND CERTIFIED TRAINING ON PUBLIC RECORDS LAW AS REQUIRED BY OHIO REVISED CODE SECTIONS 109.43 (B) and 149.43 (E)(1). *(Planning, Zoning & Insurance)*

ORDINANCE NO.: 50-2022 AN ORDINANCE TO VACATE A PORTION OF RIVERVIEW BOULEVARD ABUTTING THE PROPERTY OWNED BY DUSTIN AND DANIELLE LANCY AT 2810 SOUTH PARK DRIVE AND ABUTTING PROPERTY OWNED BY THE

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VILLAGE OF SILVER LAKE IN WILLOW PARK, AND DECLARING AN EMERGENCY.
*(Planning, Zoning & Insurance)***Second Reading:** *None.***Third Reading:** *None.***Comments from the audience (3 minutes each):**

Mr. Jason Popiel, PE, CPESC: Hello. I'm a senior project manager with OHM Advisors. I'm here to answer any questions. OHM is a multi-office firm with about 650 employees across many disciplines. We have engineers, planners, zoning experts, etc. Our headquarters is in Michigan, and we have several Ohio offices. I've been with OHM for about 7 years now. The contract before Council is very standard; we would supply an engineer and a rep to the Village. Our contract gives the Village access to our full multi-discipline knowledgebase for a standard rate, as opposed to just hiring a city engineer with a single specialty. We have about 11 municipal clients in northeastern Ohio. We were very successful with OPWC [Ohio Public Works Commission] this last funding year: we received 7 awards totaling over \$3,100,000 in grants. Our first step would be working with Mr. Lipan to expand your paving program from \$200,000 to \$800,000. [Mr. Popiel agreed to stay until OHM's contract was discussed.]

Cuyahoga Falls Fire Dept. Chief Chris Martin gave his presentation to Council. He discussed new initiatives, including the new training center. He reaffirmed the dept.'s commitment to the Village and being in the community. The dept. took 197 calls in the Village in 2021. Mrs. Meyer praised the dept.'s truck pull event. Chief Martin thanked Council and the Mayor. Council thanked Chief Martin.

FINANCE & APPROPRIATIONS COMMITTEE – Mrs. Dunphy

ORDINANCE NO.: 44-2022

Mrs. Dunphy read the legislation and asked Mr. Housley to explain. Mr. Housley had updated the Englewood Project budget and financing options. The street infrastructure portion would be paid for out of the general fund; the water and stormwater components would involve financing from OWDA [Ohio Water Development Authority] and Stow's contribution of up to \$200,000. Mr. Housley reminded Council it had been decided to apply ARPA [American Rescue Plan Act] monies toward the street infrastructure portion of the project.

The appropriations amendment that was tabled indefinitely at the June 6th meeting [Ord. 41-2022] appropriated \$7,000 for surveying services. Ord. 44-2022 reduced that to \$5,500; the remaining \$1,500 had already been spent. It remained uncertain whether a survey was necessary for the Village's potential purchase of specific Chautauqua lots. Council didn't want to continue delaying. Council trusted Mr. Lipan to determine whether the money needed to be spent or not. Mr. Lipan wanted to vacate Highland Lane because it was being used as a dumping ground. The Service Dept. had cleaned it up twice in recent years and Mr. Lipan had sent letters about it. There were also jurisdictional issues with the Silver Lake Estates Trust concerning trees falling and causing damage to residents' properties. Mr. Church said this issue had been before Council several times. Some homeowners asked the Village to vacate Riverview Blvd., so they could move forward with renovations on their property; the request was made months ago, but was delayed because of unforeseen circumstances outside the Village's and homeowners' control.

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

FINANCE & APPROPRIATIONS COMMITTEE – Mrs. Dunphy

ORDINANCE NO.: 45-2022

Mrs. Dunphy read the legislation and invited Mr. Housley to speak. Mr. Housley highlighted the words “up to” and expressed hope that the project might come in under-budget.

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

FINANCE & APPROPRIATIONS COMMITTEE – Mrs. Dunphy

RESOLUTION NO.: 46-2022

Mrs. Dunphy read the legislation and invited discussion. It was determined that Kenmore rounded certain numbers on the exhibits provided, and the listed costs were confirmed as correct.

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

FINANCE & APPROPRIATIONS COMMITTEE – Mrs. Dunphy

RESOLUTION NO.: 47-2022

Mrs. Dunphy read the legislation and asked Mr. Lipan whether the rate was usual. Mr. Lipan said the Village would be purchasing 500 tons for \$59.17/ton, which was the same rate as last year.

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

FINANCE & APPROPRIATIONS COMMITTEE – Mrs. Dunphy

RESOLUTION NO.: 48-2022

Mrs. Dunphy read the legislation and invited the Mayor to speak. The Mayor said OHM was recommended by a resident. He doubted the Village did enough projects to warrant contracting with OHM, but was impressed by the company’s skill at getting grants. He spoke with the mayor of Reminderville, whose city received around \$15,000,000 in grants because of OHM, and the mayor of Boston Heights, whose city had a project entirely or mostly funded by grants gotten by OHM. The Village had applied for grants before with little success. OHM was good at working with small communities. Mr. Housley said the Village would be replacing several waterlines in the future; OHM could do the engineering and it would be included in the contract fees. It would be nice to have a contract with OHM, so the Village could have someone available to apply for grants and answer questions. Mr. Housley highlighted the 3-yr. rate guarantee and the 90-day out clause, and thought it was worth it. Attorney Rubright was also skeptical, but was convinced after meeting with OHM. She thought OHM could get the Village funding for projects. Mr. Church reiterated the Village’s history of not receiving grants, and attributed it to lack of skill and the Village’s image as a wealthy community. Mr. Lipan researched some communities OHM got grants for and several of them were similarly affluent. Mrs. Dunphy cited the grants OHM had gotten for the Village of Clinton, and Mr. Popiel confirmed. OHM would work with Mr. Lipan to create a timeline of projects and research relevant funding opportunities. Grants all had

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different deadlines. OPWC was due July 22nd, would be announced in late Fall, and would be awarded in July 2023. Mr. Popiel thought OHM could start immediately creating the long-term plan with Mr. Lipan and applying for the OPWC funds. The long-term plan was included in the contract cost, and OHM would spend the time necessary to acclimate to the Village. It was said the contract fell under the Mayor’s spending authority, no appropriations were necessary, and bringing it before Council was a courtesy.

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

The payments of claims dated June 6, 2022, were accepted as distributed.

PLANNING, ZONING & INSURANCE COMMITTEE – Mr. Scott

RESOLUTION NO.: 49-2022

Mr. Scott read the legislation and asked if this was an annual training. Mr. Housley said the training was once per term and legislation needed to be passed giving him permission to attend the training in place of all elected Village officials. He recommended attending the training anyway and said the Village would cover any costs associated.

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

PLANNING, ZONING & INSURANCE COMMITTEE – Mr. Scott

ORDINANCE NO.: 50-2022

Mr. Scott read the legislation and asked for discussion. There was none.

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

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey: Hopefully, you’ve all received the Veterans Tribute Garden mailing. We’ve already raised \$4,100 in the past 2 days. We’re looking for sponsors, so please send me the information of anyone who’s interested. We expect to start construction in Sept. and hope to dedicate it on Veterans Day 2023. We might be featured on Leon Bibbs’ show.

On Englewood, the underground work is complete and they’re starting on the road. They might be done by Sept. or Oct.

Last meeting, I showed Council a sample sign to dedicate Council Chambers to Bob Heydorn. It’s estimated at \$1,588.52, which is about \$800 more than I expected. Louise Heydorn said she was happy the Village was dedicating the Chamber to her husband; she preferred Robert W. Heydorn Hall, but thought that wouldn’t look good on the sign.

Mr. Church said Bob’s graduating class [1964] was raising money for the plaque.

Attorney Patricia Ambrose Rubright, Village Solicitor: As Council knows, I’m working on Highland Lane. The dumping issue and the maintenance responsibility are the main concerns here. On Riverview Blvd., I asked the homeowners to be here and they’re here. Tonight, Council

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approved the vacation of Riverview, which was the first step for them. Council will be asked to sell a portion of Willow Park to them as the next step.

Chief Jamie Norris, Chief of Police: Chief Norris was not present and had no report.

Mr. Mark Lipan, Service Director: The paving program came in \$40,000 under-budget at about \$227,000. We had recently paved Bellaire to Vincent, so it didn't need to be redone.

As far as Riverview and Willow Park, the portion they want to buy is just a wooded section. We don't take care of it; it won't hurt the Village to sell it.

Mrs. Meyer asked about a construction project on Silver Lake Blvd. that lacked the proper silt fencing to minimize sediment runoff. Mr. Lipan said he would look into it.

Mr. Sean Housley, Clerk-Treasurer: Our sewage treatment bills from Akron are averaging around the lower to mid \$40,000s. That may be because of rainfall; I do track rainfall. I plan on discussing our contract with Attorney Rubright and getting her opinion on some things. It looks like we're going to have to increase the sewer rate this year; we're averaging about \$10,000 more per month.

Regarding Englewood, if Council looks at the bank reconciliation attached to the monthly statement, our investments are maturing, so I've been transferring money to pay for the infrastructure portion of Englewood.

Miscellaneous Business:

Mr. Church asked for miscellaneous business. Mr. Nivens [Council's liaison to the Park Board] praised the Park Board's effort, highlighting Dr. Barsan's [Mr. Lipan noted Dr. Barsan had some training from the Service Dept.] and Ms. Jurkiewicz's work. He gave a report of recent activities, and said the issue of authority to name Village public properties came up. Council should have input. Mayor Hovey recalled that Council named the Marcia Mandala Trail and Fenwick Park, and Mr. Church agreed.

Mrs. Meyer said the title of Village Solicitor should be changed to Village Law Director. As this would require changing the Charter, Council would have to pass legislation to put it on the ballot and the voters would have to approve it.

Mr. Nivens said the Village had given retention bonuses around June last year, and it was now approaching July. During last year's budget season, a salary study was floated; no action had been taken and budget season was coming up again.

It was decided to cancel the August 1st Council Meeting because of the August 2nd Primary Election. It was asked why Council was meeting that current day, June 20th, as it was a federal holiday marking the observation of Juneteenth; no answer was given. It was reiterated that the Board of Elections uses Council Chambers as a voting location and asks that the Chambers not be used while voting equipment is present. Accordingly, Council has historically cancelled the meetings before the general election and the primary election. Because of disputes over state redistricting, there was an additional primary election in 2022. If Council had urgent business, an emergency meeting could be arranged.

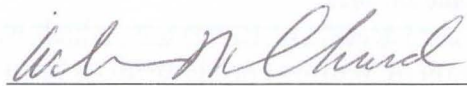
There being no further questions or comments, Council adjourned at 8:24 p.m. The next regular Council Meeting will be on Tuesday, July 5, 2022, at 7 p.m.

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APPROVED:



William M. Church, President of Council

ATTEST:



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