

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, March 01, 2021

7:00 p.m.

The Village of Silver Lake Council met in regular session on Monday, March 01, 2021, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio. The meeting was made available to the public via Zoom.

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

Mr. Church led the Pledge of Allegiance.

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

Roll call of Council - 5 members present.

Absent – Mr. Tim Nichols and Mrs. Betsy Meyer. Mr. Nichols and Mrs. Meyer were excused.

Mr. Church: Were there any additions or corrections to the minutes of the February 16, Council meeting.

It was decided to add the words “present virtually” next to Council members names in the minutes when they are attending the meeting via Zoom from another location for better clarification.

The minutes were approved as amended.

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

First Reading:

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

RESOLUTION NO.: 19-2021 A RESOLUTION GRANTING CONSENT TO THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION AUTHORITY TO, APPLY, MAINTAIN AND REPAIR STANDARD LONGITUDINAL PAVEMENT MARKINGS AND ERECT REGULATORY AND WARNING SIGNS INSIDE VILLAGE CORPORATE LIMITS, AND SUBJECT TO FURTHER AGREEMENT WITH ODOT, GRANTING CONSENT FOR ICE AND SNOW REMOVAL AND ROAD

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MAINTENANCE ON STATE ROUTE 59 INSIDE THE VILLAGE CORPORATE LIMITS, AND DECLARING AN EMERGENCY. (Personnel and Public Affairs)

Second Reading: None.

Third Reading: None.

Comments from the audience:

Chris Feriance 2816 Hastings Road: I know this was postponed due to COVID but I am hoping that we can revisit the possibility of drafting legislation to allow low speed vehicles, in this case golf carts, on Village roads. I am asking that Council reconsider this and make a determination.

Mr. Church: I think that is probably something that we will get to soon.

FINANCE AND APPROPRIATIONS COMMITTEE - Mrs. Dunphy

The payment of claims for February 24, 2021 was discussed and accepted as distributed.

PERSONNEL AND PUBLIC AFFAIRS – Mr. Nivens
RESOLUTION NO.: 18-2021

Mrs. Dunphy: I think we had extensive discussion on this last meeting, and it has come back to us with the change that was requested, so I see no reason not to let these people get to work.

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

PERSONNEL AND PUBLIC AFFAIRS – Mr. Nivens
RESOLUTION NO.: 19-2021

Mr. Nivens: This is a housekeeping item that comes before us from time to time. Do we get any reimbursement back from the State as far as helping to maintain State Route 59?

Mr. Heydorn: When I saw this, it seemed irregular because we do not deal with this every time. The last time we dealt with this was in the late 90's or early 2000's. They admit that they are wholly deficient in bringing this forward for our consent. We have just operated under the old consent for this period of time. The Ohio Revised Code says that the State must maintain our lane markings and signage on State highways, pending the consent of us. We have traditionally given the consent for that and there is no reason for changing that. We do not pay a thing for it. As far as ice and snow removal, they can do that with a city's consent but only by separate agreement. In other words, the consent legislation itself does not bind anybody to do anything, they must have a separate agreement to do that. By the way, there is not such an agreement and we do our own ice

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and snow control. No, they will not do it, even if we wanted them to, because the closest place they get to is 303. The repair and maintenance of roads also has nothing to do with this piece of legislation because even if we consent to it, they do not do it unless there is a separate agreement. That is why when they do work on the road they come in here with a proposal. Whether we consent to it now or not, without an agreement it does nothing. Every time they are going to do something to our street it would be brought by separate agreement. The only thing that you are doing with this piece of legislation is allowing them to put signage, street markings and so forth on that street.

Mr. Plesich: Does this include striping?

Mr. Heydorn: Yes. Also, my question was why now? It is because the administration figured out that they should have been doing it much more frequently.

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

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey: It seems that we have prevailed regarding the outrageous sewer bill from Summit County because they are redoing what they charged us. You have a copy of my State of the Village in print form. A video of it can be found through a link on Facebook and our website. Last meeting you asked me to talk to the employees and see what they would entertain as far as a bonus. I found this to be a strange request because if I am an employee and you ask me what I want for a bonus I am going to tell you \$10,000. They discussed several options and the one they asked me to have you consider is, \$1 an hour for each hour they worked during the year. For fulltime employees that means \$2,080. For part time employees it would depend on the number of hours worked. In addition to that, \$100 a year for every year they have worked full time for the Village and \$50 a year for every year they worked part time. I know you also might be worried about the money. I said in my State of the Village that because of the monies we received for COVID, our general fund balance is \$600,000 more than we expected it to be and our overall fund balance is \$800,000 more.

Mrs. Dunphy: Do we have an idea on what the total price tag is on that? Is there any option that any of that money might come from future CARES Act or COVID relief dollars?

Mr. Housley: No that is not an option. It would be less than \$40,000 probably around \$35,000.

Mr. Heydorn: What you might want to do is have a finance committee meeting to discuss this.

Mrs. Dunphy: We can have the finance committee meeting one hour before the Council meeting on March 15th.

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Mr. Robert Heydorn, Village Solicitor: Regarding the Summit County disputed sewage treatment charges. You all should be given access to the email from the law director of Cuyahoga Falls where she says that they were never in the position that we were in, to discover this without the efforts of Sean. They gained by his efforts about two million dollars. Summit County was not even contesting and they themselves had to pay, how much?

Mayor Hovey: From what I understand, we are saving them about 7 million.

Mr. Housley: The total disputed costs were 6.8 million. Cuyahoga Falls share of that is about 2.5 million. Our share was approximately \$235,000. The County's portion was probably around 4 million for the County.

Mr. Heydorn: Until Sean got into this and pointed out the problems, Summit County was basically going to do nothing and pay the bill.

Mayor Hovey: It is interesting that Cuyahoga Falls sent an email thanking Sean, but Summit County did not, they did not even admit that they made a mistake. Ultimately it is Summit County's responsibility to check those figures.

Mayor Hovey: We have a meeting tomorrow; Akron is proposing to raise our master meter rate by 34%. From what I understand, Cuyahoga Falls and Tallmadge have hired somebody to check and see if that is a justifiable rate.

Chief Jamie Norris: Last week Mr. Plesich had a question about Oriana House and whether or not we receive any money back. I reached out to the Vice President of operations at Oriana House and what happens is, we get credits on our invoice based on what the person sentenced there can pay. It is not always a set fee. It is contingent on the financial situation of the person that is sentenced there. The only time we have someone sentenced there is if it is a felony charge and it is under Ohio Revised Code. That is why we have such a gap from the last time someone was there. The only set fee that is established is the fee for work release. That is a 20% return that the individual would have to give back, but that is also based off what that person makes hourly. The invoice would show the credits we receive and then it gets taken off the bill. The Governor had a press conference today, he opened a new vaccine group, those 60 years and older can get it. Police officers are also now included. I got an email from the Department of Health and they are looking to roll out vaccines for police officers in the second week of March.

Mayor Hovey: I have had a couple questions from Council about the lawsuit. We have a court date scheduled for next week or the week after.

Mr. Mark Lipan, Service Director: We are going out to bid for asphaltting. It will be advertised on the 7th and 14th; the bid opening is going to be the 22nd. I also asked for quotes for the engineering on the Outlook water line, I have not received any of those back yet. Lastly, I hired a new employee. He has 3 years of experience and he will be starting on the 8th.

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Mr. Sean Housley, Clerk-Treasurer: I want to expand on Akron's 34% increased costs to treat sewage, which the County just passes on. Akron has raised their costs from \$3.183 per thousand gallons to \$4.274. They say that they want to apply this retroactively back to April 2020. We have only been billed through October, so for the months of April-October we were billed \$132,000 to treat 41.6 million gallons. This just represents a portion of the bill. There are other treatment charges that would not be directly impacted by Akron's increase. I estimate that the retroactive charge would be approximately \$45,000. This is an average of \$6,500 monthly increase or an increase of approximately \$6.50 per household, per month. This would be about a 6.5% increase on the average household combined bill moving forward. The County and some of the other Master Meter Communities have hired an independent consultant to evaluate the 34% increase.

Also, I've emailed out some regulatory financial statements to everyone, we can discuss these more at the next meeting. When I prepare these reports, I do a reconciliation back to the December month-end statement of revenues and expenditures and I noticed that the appropriations in those reports were off by about \$1,000. This had something to do with the way previous years purchase orders were closed out of the system. The estimated revenues were also off by around \$171,000. Some reports reflected the proper budgeted amounts and some did not. This is a system problem. The unaudited financials that I sent out, do reconcile with our appropriations. Let me know if you have any questions while comparing the unaudited financials to the system reports.

Finally, regarding the disputed costs. To speak favorably of the County. They cooperated fully with my findings and questions. They directly disputed the amounts with Akron which resulted in the charges being dropped. In the end we all won.

Mr. Nivens: Last meeting I reported as the liaison to the park board that we had asked Mr. Heydorn's opinion as to how to conduct the meetings. He got back to us in a timely manner, and I have sent the opinion to the other members of the park board. I have received phone calls about the water bills and residents are asking why they still cannot pay online.

Mr. Housley: The new software that we purchased will enable that. Whether or not we choose to pay for that will be another decision. In the past we did not have the software to enable that, they can do ACH payments at no cost.

Mrs. Dunphy: What would be the cost on that?

Mr. Housley: I am not sure yet. We will explore the costs once the software has been installed. Tim asked me if our bank fees were within \$500 of what they were last year, and I said I believe so. They were actually about \$2,000 higher and I am looking into that. The reason they are higher could be due to changes we have made in the way we scan things to the bank. We reconcile daily now. The bank costs may have gone up and fewer of those costs are being offset

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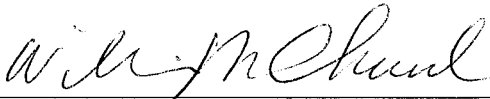
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by service credits. Mr. Scott did have a question about the Oriana House contract, Jamie did look into that and I can forward you his email tomorrow.

Mr. Nivens: A few residents are concerned about parking on the boulevard near the construction site on the South end. I told them if they felt it was an issue to call the Mayor or the Police Department.

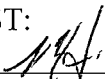
There being no further questions or comments, Council adjourned at 7:50 p.m., until the next regular meeting of Council on Monday, March 15, 2021, at 7:00 p.m.

APPROVED:



William M. Church, President of Council

ATTEST:



Sean M. Housley, CPA
Clerk-Treasurer
prepared by: Lora Wilmoth, Assistant to the Clerk-Treasurer