

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, April 5, 2021

7:00 p.m.

The Village of Silver Lake Council met in regular session on Monday, April 5, 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 M. 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. Tim Nichols, Mr. Matthew Plesich, Mr. William M. Church, Mrs. Therese Dunphy, Mrs. Betsy Meyer, and Mr. Christopher Scott.

Roll call of Council - 7 members present. Absent – None.

Mr. Church: Were there any additions or corrections to the March 15, 2021 Council Meeting minutes? There being no additions or corrections, the minutes were approved as submitted.

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

First Reading:

RESOLUTION NO.: 21-2021 A RESOLUTION AWARDED A CONTRACT TO PERRIN ASPHALT COMPANY FOR THE 2021 COLD MILLING AND RESURFACING OF VARIOUS STREETS IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

ORDINANCE NO.: 22-2021 AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

ORDINANCE NO.: 23-2021 AN ORDINANCE PROVIDING EXTRA COMPENSATION TO THE EMPLOYEES OF THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY. *(Personnel and Public Affairs)*

ORDINANCE NO.: 24-2021 AN ORDINANCE GRANTING A MERIT PAY INCREASE TO THE CLERK-TREASURER FOR EXCEPTIONAL EFFORT RESULTING IN SUBSTANTIAL BENEFIT TO THE VILLAGE, AND DECLARING AN EMERGENCY. *(Personnel and Public Affairs)*

RESOLUTION NO.: 25-2021 A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO HIRE A PART-TIME ASSISTANT, AND DECLARING AN EMERGENCY. *(Personnel and Public Affairs)*

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Second Reading: None.

Third Reading: None.

FINANCE AND APPROPRIATIONS COMMITTEE - Mrs. Dunphy
RESOLUTION NO.: 21-2021

Mr. Nivens: What streets will be paved?

Mr. Lipan: The Boulevard from 59 to Bellaire. Randolph, Oakridge and Silverview. Vincent from Ivanhoe to Millboro.

Mr. Scott: How often are streets paved?

Mr. Lipan: It varies, depending on the thickness of the street.

Roll call to suspend the rules:	Yes	7	No	0
Roll call to adopt the legislation (Revised):	Yes	7	No	0

FINANCE AND APPROPRIATIONS COMMITTEE - Mrs. Dunphy
ORDINANCE NO.: 22-2021

Mr. Housley: Performance bond was originally received some time ago. We were informed by consultants that the payment was eligible to be returned.

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

The statement of cash position for March 31, 2021 was discussed and accepted as distributed.

The payment of claims for March 30, 2021 was discussed and accepted as distributed.

PERSONNEL AND PUBLIC AFFAIRS – Mrs. Meyer
ORDINANCE NO.: 23-2021

Mrs. Dunphy: In Sec. 4, Line 2, the wording may be confusing, so motion to change “merit raise” to “merit pay.” Would Sec. 2 “all employees not of full-time status” include our seasonal mower? Part-time versus seasonal was not discussed but the mower should be included.

Mr. Heydorn: Yes, the mower will be included. Any person on the payroll the day this ordinance is signed by the Mayor will be included.

Mr. Scott: Will employee being approved in tonight’s meeting will be included?

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Mrs. Dunphy: She will get half.

Mr. Nivens: The ordinance only mentions full-time and part-time employees. Mr. Heydorn is a contract employee, so how would this affect him?

Mr. Heydorn: That is not entirely true; I am not a contract employee. I'm a part-time employee; I get a salary. In addition to that, if I would ask for something above my salary, that is contractual.

It was decided to hold Ordinance 23-2021 for a second reading to change Section 4, Line 2 wording as mentioned above.

PERSONNEL AND PUBLIC AFFAIRS – Mrs. Meyer

ORDINANCE NO.: 24-2021

Mrs. Meyer: This ordinance has the same wording as Ordinance 23. Motion to hold ordinance until next meeting to change wording.

Mrs. Dunphy: We should add wording “by other governmental units related to the Mudbrook Sewer System as well as working for the Village throughout the pandemic” to end of first “Whereas” clause to mirror Ordinance 23-2021 more clearly, since we’re combining the pandemic merit pay we gave to all employees with the Clerk-Treasurer’s extra compensation related to the sewer system. Mr. Housley is only included in Ordinance 24-2021, not Ordinance 23-2021. So, adding that wording would make it clear that this amount is for both things.

It was decided to hold Ordinance 24-2021 for a second reading to change wording as mentioned above.

PERSONNEL AND PUBLIC AFFAIRS – Mrs. Meyer

RESOLUTION NO.: 25-2021

Mr. Housley: She’s a graduate of Kent State, political science degree. I really like her; she seems professional and skilled. I think she’ll be a good fit in the office. I’ve included her résumé. She’s got some note-taking experience; she’s got some cash-handling experience. She’s going to replace Lora because Lora has become full-time.

Mr. Nichols: Did you interview other people for this?

Mr. Housley: Yes, I interviewed 3 others. She’ll start at \$14.50/hour, and will be working 24 hours per week.

Mrs. Dunphy: I thought that her résumé looked good for somebody straight out of school. Graduating summa cum laude is a pretty remarkable accomplishment. She looks like a good candidate.

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Roll call to suspend the rules:	Yes	7	No	0
Roll call to adopt the legislation:	Yes	6	No	1 (Nivens)

Comments from the audience:

Mr. Housley reported 3 members of the public were watching the Zoom and gave a chance to speak. No one spoke.

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey: Regarding previous utility billing remarks, it is the printing and mailing of bills that is outsourced, not the billing itself. Before outsourcing, the Village paid \$7,284 to have bills printed and mailed. The new company charges \$5,400, which saves the Village \$1,884/yr.

Regarding the Englewood project, the engineer was asked to estimate all possible assessment costs. These costs are extremely large, ranging from \$23,000 to \$63,000. Council must decide which assessments the engineer should do, if any. I recommend assessments for sidewalks and curbs. I'm waiting on the engineer for more cost estimates. At this point, all we've really done is approve the engineering, not the project. So, I would like Council to direct the Clerk-Treasurer to start seeking methods to finance the Englewood Dr. Project. I'm still waiting to hear from Stow concerning their part in the project.

Mr. Church: Traditionally, we have just assessed for curbs and sidewalks with projects like this, right?

Mayor: Correct. I think driveway approaches as well. Some of those driveways have gravel approaches so those would be replaced with cement. In the past, we've only done sidewalks, curbs, and driveway approaches. I think we might have assessed the sewers a long time ago, but certainly not in the recent past. This road needs to be improved and the residents will be happy once it is, but we should not make it cost prohibitive for them. Can you imagine getting a \$63,000 assessment bill? Not very feasible.

Mrs. Dunphy: Does the sidewalk assessment cover both sides of the street?

Mayor: That's only the Silver Lake side. I've asked the engineer to provide us with what each homeowner would be charged for the assessments.

Mr. Scott: Question for Bob: if we were to do these assessments, how long are we legally required to give homeowners to pay this off? I've seen plans where costs were broken down for residents to pay over 30 or 40 years. What's the law regarding this?

Mr. Heydorn: If you do have a large assessment project cost, you will need specialized council. They will need to certify that everything is perfect and in accordance with a very complex law.

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And it must be from a law firm that the bonded companies feel is qualified to certify that. In effect, they are putting their reputation behind that certification.

Mr. Scott: Usually, different projects have different life expectancies in the law. I'm not sure about sidewalks, maybe 10 years or less?

Mr. Heydorn: Well, I think we can go up to 30 years. But that determination will come from the law firm that certifies this.

Mr. Scott: Okay. Just obviously, the numbers we're seeing here are rather large. We're not going to be asking people to pay these immediately; it's going to be over a period of time. It's still going to be expensive even stretched over 30 years.

Mr. Nivens: Just looking at these numbers, I would think they cover both sides of the street.

Mr. Robert Heydorn, Village Solicitor: No report.

Mr. Mark Lipan, Service Director: Started pick-up today, so get your leaves out. We had a little fire in the back. I don't know how it started. The Fire Dept. was called and put it out. The fire was where service dept. puts wood chips, the hill all the way in the back. The security camera was not checked.

Mr. Nivens: Is there going to be a sidewalk assessment this year? For repairs and replacements?

Mr. Lipan: No, that only happens every 10 years or so.

Chief Jamie Norris: The people who already received their first vaccine will be receiving their second dose tomorrow. An officer will be transferring to North Carolina and the job opening has been posted on the website. There's a lot of bigger police departments with positions open, so it might be difficult for a department of our size to fill this spot.

Mr. Nivens: I'm wondering about the potential golf-cart ordinance. It was said last meeting that other cities' ordinances concerning golf-carts would be used as references, but I don't see any in my materials here. What's the status on that?

Mr. Church: This issue is under miscellaneous and will be addressed shortly.

Mr. Sean Housley, Clerk-Treasurer: Anthem revised their renewal rate for health benefits. It was originally a 6.5% increase and is now 4.2%. We've received proposals from other carriers as well. Wichert will be sending me a spreadsheet comparing our options, so once I get it, I will send it out.

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There will be a Planning, Zoning, and Insurance meeting to discuss the insurance proposals on Thursday, April 8th at 7:00 pm.

Miscellaneous Business:

Mr. Church: I would like a decision on the golf-cart issue tonight.

Mrs. Dunphy: It might not be practical. We could be making a rule that would benefit few but inconvenience many. I'm unsure how it could benefit the Village as a whole.

Mrs. Meyer: I thought it would be good. But then the issue was raised whether this would be a Silver Lake Estates thing or a Village thing. I just want things to be fair for everyone.

Mr. Scott: We have never had a golf-cart ordinance before, and things were fine. It's not a necessity.

Mr. Nivens: I would like to discuss it more. After all, we have smaller vehicles (mopeds, electric scooters, etc.) that fall under Village's toys in the street ordinance. They're being used as toys in the street and there's little to no enforcement on that. So, why limit golf-carts?

Mr. Nichols: I agree with Therese. I'm against it for safety reasons. I agree with Dann; we have too many toys in the street as it is.

Mr. Plesich: I'm always open to further discussion. We need more input from residents.

Mr. Church: We can't exclude a third of the Village, and there is a safety issue here.

Mr. Nivens made a motion to further pursue possible golf-cart legislation.

Roll Call: Yes 2 (Nivens and Plesich) No 5

Mr. Church: Golf-cart issue is finished. I may have been unclear with some of you regarding chain of command in specific issue areas. Issues regarding the Administration, the Service Dept., or Police Dept. should go directly to the Mayor and then he will deal with it within the departments. Issues regarding money and finances would go directly to Sean. You don't need to go through me.

Mr. Nivens: We are scheduled to deal with the riparian issue in May. As of now, the Director of Public Safety and the Director of Public Service have shut down the Village Hall. Residents want to know how they will be able to speak publicly on the issue.

Mr. Nichols: I second that question. When we set the issue for May, we hoped we could safely have robust public discussion. Should the issue be put off until this public discussion is possible?

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Mrs. Dunphy: I thought we discussed tabling the issue if we couldn't have face-to-face meetings.

Mr. Nichols: I'm not sure that's definitive. I think it's now to be discussed in May, unless we decide otherwise.

Mrs. Dunphy: Could we have it outside? We have the pavilion. It might be safer. We could have seats set up around the pavilion, with microphones set up inside the pavilion, and people could come up and speak.

Mr. Housley: I'm not sure how we could record that with our current setup.

Mr. Church: I think it would be difficult to do this over Zoom. I favor tabling the issue another month or two until we can have more members of the public inside the meeting room.

Mr. Nichols and Mrs. Dunphy agreed with Mr. Church.


Mr. Housley: The issue will be on the third reading, at least.

Mr. Heydorn: You have until May to make a motion to table it. You could do it today. The public just needs to be notified at least 30 days before any public hearing.

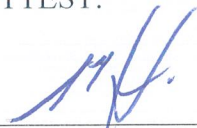
Mrs. Dunphy made a motion to table the riparian legislation from May 3rd until June 7th, conditions pending. Mr. Nichols seconded. All signified agreement by saying aye.

There being no further questions or comments, Council adjourned at 8:00 p.m., until the next regular meeting of Council on Monday, April 19, 2021, at 7:00 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