

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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Tuesday, Sept 8, 2020

NOTE: The Council meeting will be conducted via Zoom. To access this Zoom meeting follow this link <https://zoom.us/j/2512086899?pwd=TXpQaUZCandybjh4Y3huUGgzT0dpQT09> or go to <https://zoom.us/> and click join a meeting. Type in the **Meeting ID** which is **251 208 6899** and if it prompts you to enter a **password** enter **Silver18**. If you wish to speak during the meeting type a message in the chat with your first and last name, address and what you wish to speak about.

If you do not have access to the internet you can access this meeting by dialing in using the following phone number. Enter the Meeting ID and Passcode (when prompted).

Dial-in number (US): +1 646-558-8656 Meeting ID: 251 208 6899 Passcode: 31461176

If you are dialing in and wish to speak you can be unmuted by dialing *6.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

7:00 p.m.

1. Pledge of Allegiance.
2. Roll call of Council.
3. Approval of the minutes of the August 17, 2020 Council meeting.
4. Ordinances and Resolutions:

FIRST READING:

RESOLUTION NO.: 34-2020 A RESOLUTION REPEALING RESOLUTION NO.: 32-2020 ADOPTED AUGUST 17, 2020, AND ENTITLED "A RESOLUTION ADVANCING THE SUM OF ONE HUNDRED AND SIXTY-FIVE THOUSAND DOLLARS (\$165,000.00) FROM THE GENERAL FUND TO THE LOCAL CORONAVIRUS RELIEF FUND, AND DECLARING AN EMERGENCY.," AND DECLARING AN EMERGENCY. (*Finance & Appropriations*)

RESOLUTION NO.: 35-2020 A RESOLUTION REQUESTING THE VILLAGE OF SILVER LAKE TO RECEIVE ITS SHARE OF FUNDS FROM THE COUNTY COVID-19 LOCAL GOVERNMENT PAYROLL SUPPORT GRANT PROGRAM FUNDS AND DECLARING AN EMERGENCY. (*Finance & Appropriations*)

ORDINANCE NO.: 36-2020 AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY. (*Finance & Appropriations*)

SECOND READING: None

THIRD READING: None

5. Comments from the audience (*3-minute maximum per person*).
6. Committee Hearings to discuss pending legislation.
 - A) Planning, Zoning & Insurance.
 - B) Finance & Appropriations.
 - C) Public Improvements.
 - D) Personnel & Public Affairs.
7. Reports of Council's Standing Committees.
8. Mayor's Report.
9. Reports of Village Officials.
10. Miscellaneous Business.
11. The next regular meeting of Council will be on **Monday, Sept 21, 2020 at 7:00 p.m.**

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, August 17, 2020

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, August 17, 2020, by teleconference.

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

Mr. Jones led the Pledge of Allegiance.

The following members were present and responded to roll call: Mr. Dann Nivens, Mr. Tim Nichols, Mrs. Betsy Meyer, Mr. Gerald Jones, Mr. William Church, Mrs. Therese Dunphy, and Mr. Matthew Plesich.

Roll call of Council - 7 members present

Absent - None

Mr. Jones entertained a motion to suspend the rules to limit audience participation at this meeting to listening only. Mr. Church moved. All were in favor and the motion carried.

Mr. Jones: Were there any additions or corrections to the minutes of the August 03, Council meeting. There being no additions or corrections, the minutes were approved as submitted.

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

First Reading:

RESOLUTION NO.: 29-2020 A RESOLUTION APPROVING A CHANGE ORDER TO BARBICAS PAVING LLC FOR THE 2020 COLD MILLING AND RESURFACING OF VARIOUS STREETS IN THE AMOUNT OF TWELVE THOUSAND AND NINE DOLLARS (\$12,009), AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

RESOLUTION NO.: 30-2020 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH GHA TECHNOLOGIES, INC. FOR THE PROVISION AND INSTALLATION OF PANASONIC TOUGHBOOKS AND NECESSARY EQUIPMENT FOR THE POLICE CRUISERS, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

RESOLUTION NO.: 31-2020 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MODIFICATION OF THE CONTRACT WITH SOFTWARE SOLUTIONS UPGRADING EXISTING SOFTWARE TO ENABLE EMPLOYEE TELEWORK CAPABILITIES TO BE COMPLIANT WITH COVID-19 PUBLIC HEALTH PRECAUTIONS, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, August 17, 2020

7:00 p.m.

RESOLUTION NO.: 32-2020 A RESOLUTION ADVANCING THE SUM OF ONE HUNDRED AND SIXTY-FIVE THOUSAND DOLLARS (\$165,000.00) FROM THE GENERAL FUND TO THE LOCAL CORONAVIRUS RELIEF FUND, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

ORDINANCE NO.: 33-2020 AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)*

Second Reading: *None*

Third Reading: *None*

Comments from the audience: None

FINANCE AND APPROPRIATIONS COMMITTEE - Mr. Church

RESOLUTION NO.: 29-2020

Mr. Church: This is in regards to the change order for the cold milling and resurfacing.

Mr. Nivens: What is this from?

Mr. Lipan: When I measured the streets, it was a guesstimate. The extra asphalt was for an intermediate course, which was a leveling course. Some of the streets are so thin that they take up more than they should.

Mr. Nivens: Last year I spoke with the Mayor and Service Director about water issues over on Lodge. The water is negatively affecting a homeowner over there. The Mayor said that they need to put asphalt across the front of their driveway to keep the water out. Council has to budget to put a catch basin in. We put one in on Ivanhoe last year and we did not approve that.

Mr. Lipan: There is more to it than just putting a catch basin in. There is no storm sewer on that road. The only storm sewer is at the very end, so there is no place to put the water. The road used to be lower on one side so that resident was getting all of the water. They fixed it so that the water is split to either side.

Mr. Nivens: She is still getting water.

Mr. Lipan: As the Mayor said, if you add asphalt to the end of the driveway, the bump will keep water moving down past the driveway.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

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7:00 p.m.

Mr. Church: Mr. Nivens do you have a recommendation?

Mr. Nivens: We need to get a new storm sewer in our capital plan.

Mr. Plesich: This \$12,009 we are discussing, how close is that to the next highest bid?

Mr. Lipan: I budgeted more than the bid so we don't have to increase the budget.

Roll call to suspend the rules: Yes 7 No 0

Roll call to adopt the legislation
as amended: Yes 7 No 0

FINANCE AND APPROPRIATIONS COMMITTEE - Mr. Church

RESOLUTION NO.: 30-2020

Mr. Church: This is in regards to the laptops for the police cruisers.

Mr. Nivens: I see we are looking at 3, I know we have 1 downstairs. We have 5 cruisers so shouldn't we buy 4?

Chief Norris: I don't think the detective car necessarily needs that piece of equipment. We put things together based on what is going to happen with dispatch. We also applied for another grant; it is possible we could use that to get another one. The one we have that is extra I wouldn't consider extra because the software is not up to date.

Mr. Plesich: Would the individual laptop price change if we decide to buy another in the future?

Chief Norris: I think we got a bulk price for those. We would have never budgeted for this if it weren't for the Covid-19 requirements. These laptops allow them to complete police reports in their cruiser.

Mrs. Dunphy: Just to clarify, you are ok with only getting 3?

Chief Norris: Right now, yes, but a fourth one wouldn't be bad.

Mrs. Dunphy: How do we stand with the amount of CARES Act money we are getting and what we plan to use that money for?

Mr. Housley: The Beacon Journal reported that we would be receiving around \$166,000. I called the Office of Budget Management and they said \$165,000 is a more accurate number. Currently, we have about \$6,000-\$8,000 left to spend. We are going to spend more than we are currently allocated by the OBM. What I will do at the end of the year is decide what items are of the highest

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priority to post to those grant monies. Everything else will be costs that we pay for. There is one other major technology component that they are working on in the administrative office and that is a telephone system. This would enable employees to take their phone home if they need to. Our current phone system was purchased in the 90s.

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

FINANCE AND APPROPRIATIONS COMMITTEE - Mr. Church

RESOLUTION NO.: 31-2020

Mrs. Dunphy: After talking with Sean our last software purchase was in 1999, obviously the technology has changed since then. I am very pleased with the analytics that are included with this software.

Mr. Housley: Currently our existing software is not web based, it is station based. There is zero functionality from home. This new software has the potential to evolve into the cloud in the future.

Mr. Jones: For the CARES money, I thought we were supposed to get \$170,000?

Mr. Housley: \$165,000-\$166,000. We are going to spend more. We are putting all the money into technology that will enable us to work remotely.

Mr. Nichols: Some of these items are permanent enhancements that would be valuable with or without Covid-19. If we go over by \$10,000 that does not seem like a major problem.

Mr. Housley: This quote does not include iPads or notebooks for Council which could be used for web-based conferences with the visual communications.

Mr. Nivens: When we look at budgeting in October, and the expenses we have with Software Solutions, we also need to look at who can best serve our needs.

Mr. Plesich: We have to keep in mind that software is always changing. It is always going to be upgraded. We are probably well overdue for an upgrade.

Mrs. Dunphy: How much is new software versus upgrades for ongoing maintenance fees?

Mr. Housley: The upgrade is \$80,000 and then the quote breaks down the server and the laptops. For the continuing software maintenance, last year we spent \$13,400. This would be \$15,400 for the VIP upgrade. Initially they quoted \$18,000 a year for software maintenance and I negotiated them down to \$15,400.

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

FINANCE AND APPROPRIATIONS COMMITTEE - Mr. Church

ORDINANCE NO.: 32-2020

Mr. Church: That is money that we are guaranteed to receive correct?

Mr. Housley: I am still trying to get confirmation from the County. We have not received the money yet. Until I have absolute confirmation, I will not be approving any purchase orders.

Mr. Nichols: You got a verbal confirmation from the State, right?

Mr. Housley: Yes. There are 2 sources available. One is the Local Coronavirus Relief Fund. The second source is what the County is calling a Payroll Relief Program which around \$70,000 and will require a new fund. That is not what is in front of you tonight.

Mr. Church: All of those items on that list, as far as you know, are covered under this?

Mr. Housley: Yes.

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

FINANCE AND APPROPRIATIONS COMMITTEE - Mr. Church

ORDINANCE NO.: 33-2020

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

The Statement of Cash Position for July 31, 2020 was discussed and accepted as distributed.

Mrs. Dunphy: Can we get an update on where we are at with the disputed sewer bill?

Mayor Hovey: We had a meeting with Cuyahoga Falls. We have given them indication why we think their measurement was taken incorrectly and possibly not according to the rules they were to have supposed to have followed. Now we are just waiting for their response to that.

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Mr. Nichols: I see that the year to date revenues and expenses equals the increase in cash. Is that increase likely to continue?

Mr. Housley: No. There are a lot of unpaid bills including the street resurfacing program, Randolph road waterline. Last year we spent thousands repairing busted water valves and we haven't seen that yet this year.

Mr. Housley: Have we exercised any valves yet this year?

Mr. Lipan: Yes, 60, and so far only 1 appears to be leaking.

The payment of claims for August 12th was discussed and accepted as distributed.

Mrs. Dunphy: On the \$21,424.26 to the City of Cuyahoga Falls, is that a blanket payment for the water and sewer?

Mr. Housley: That was for July.

Mr. Lipan: Our contract with Cintas is up. I negotiated a new contract; it went from \$4,134 a year down to \$2,736.

Mr. Jones: All of you received an email from Jack Morrison this month. He is the attorney for the Estates. I also received a phone call from Mr. Johnson who is the head of the trustees. He told me that Jeff Heintz also saw the email. They want to move the riparian to next May. Mr. Heintz said this is a terrible way to try and do something like this without the residents having much input. I told Mr. Johnson that I would ask Mr. Nichols since it is in his committee.

Mrs. Dunphy: For clarification, both the trustees and the planning commission want that delay?

Mr. Jones: Not the planning commission, but Jeff Heintz who is the president of the planning commission, thinks it is a good idea to delay.

Mr. Nichols: I think there is a risk that we can be accused of being inactive on the topic. On the other hand, there could be issues with the construction season starting. I am not against moving it.

Mrs. Dunphy: My only concern in pushing this back is, is May already into the construction season for next year?

Mayor Hovey: The only issue with delaying this is, Jeff Heintz is moving. I know we can't revolve around one person, but I don't think it would be great if he wasn't there to explain the ordinance in more detail. I had a meeting with Fred Johnson a month ago and asked him what is in the riparian ordinance that you don't agree with or you wish would be in it. He answered in one word, he said nothing. The only argument is they want the word lake removed. Fred Johnson told me there is

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nothing in that ordinance that they object to or that they would want added to it. The planning commission and our attorney feel it necessary for that to be in there.

Mr. Nichols: I make a motion to delay the public hearing on ordinance 18-2020 to the first meeting in May of 2021.

Roll call to delay the public hearing: Yes 7 No 0

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey: I have suspected that we would not be affected in a negative way financially due to the Covid-19 pandemic. In June you were told that we were up 5% and in July we were down \$17,000, now we have gotten 100 some thousand dollars in. Where we stand with income tax collections projected to the end of this August as compared to the end of August in 2019, we are up about \$45,000. We continue to do well. That is something to consider in regards to the Administrative Services Clerk position that you delayed until December which is very much needed.

Mr. Robert Heydorn, Village Solicitor: No report.

Chief Jamie Norris: We had 2 house fires within 24 hours of each other. I want to thank the Cuyahoga Falls fire department; their response was tremendous. The annual report is complete and will be put online. The significance of the annual report this year is, Sunday was the anniversary of Carl Harrison’s death. We did the annual report in memory of him and we included police memorial photos.

Mr. Mark Lipan, Service Director: The water line is in on Randolph. We have taken 2 bacteria samples and chlorine samples. They both passed. The water line right now is pressurized. They will be back Thursday and Friday to hook up the three houses and then it will just be some clean up work. This company is outstanding. I had a water survey done this past week for the Village; I do this every year. He found one hydrant that was leaking, that will be repaired tomorrow. We did have one water break on Silver Lake Blvd last night at 10 pm, they had it repaired by 2.

Mr. Sean Housley, Clerk-Treasurer: On the income tax issue, I did inquire with RITA today. We had a large tax settlement this month, around \$104,000. Our average August income tax settlement over the past 7 years has been around \$50,000. In regards to our utility funds, consumption is up 10% compared to last year. We are also seeing decreased expenditure in the water fund, due to lower costs related to exercised valves not breaking. In the sewer fund, we do have the disputed charges that we are still reviewing.

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7:00 p.m.

In regards to a new format for meetings

Mr. Housley: Woodsy's can set it up so that our microphones can be broadcast over the phone for around \$200. I will work on that for the next meeting.

There being no further questions or comments, Council adjourned at 8:05 p.m., until the next regular meeting of Council on Tuesday, September 08, 2020, at 7:00 p.m.

APPROVED:

Mr. Gerald P. Jones, President of Council

ATTEST:

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

RESOLUTION NO.: 34-2020

VILLAGE OF SILVER LAKE

INTRODUCED BY: Clerk-Treasurer

A RESOLUTION REPEALING RESOLUTION NO.: 32-2020 ADOPTED AUGUST 17, 2020, AND ENTITLED “A RESOLUTION ADVANCING THE SUM OF ONE HUNDRED AND SIXTY-FIVE THOUSAND DOLLARS (\$165,000.00) FROM THE GENERAL FUND TO THE LOCAL CORONAVIRUS RELIEF FUND, AND DECLARING AN EMERGENCY.,” AND DECLARING AN EMERGENCY.

WHEREAS, Council of the Village of Silver Lake adopted Ordinance No.: 32-2020 on August 17, 2020, advancing the sum of \$165,000.00 cash from the General Fund (A01) to the Local Coronavirus Relief Fund (B03) until the Coronavirus Relief Funds are received; and

WHEREAS, Due to the Coronavirus Relief Funds being received timely by the County of Summit, said advance was not required.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Silver Lake, County of Summit and State of Ohio:

Section 1. That Ordinance No.: 32-2020, be, and the same is hereby, repealed.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the Village of Silver Lake and the inhabitants thereof, for the reason that the Coronavirus Relief Funds have been received timely by the Summit County, and provided it receives the necessary affirmative votes as required by the passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

PASSED:

Gerald P. Jones, 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

RESOLUTION NO.: 35-2020

VILLAGE OF SILVER LAKE

INTRODUCED BY: The Administration

A RESOLUTION REQUESTING THE VILLAGE OF SILVER LAKE TO RECEIVE ITS SHARE OF FUNDS FROM THE COUNTY COVID-19 LOCAL GOVERNMENT PAYROLL SUPPORT GRANT PROGRAM FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136 (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the County received funds under the CARES Act as a political subdivision with a population in excess of 500,000; and

WHEREAS, under guidance issued by the U.S. Treasury Department and the Ohio Auditor, the County has determined to share funding it has received with local government entities within Summit County in the form of a grant program, called the COVID-19 Local Government Payroll Support Grant Program (the “Program”), the guidelines for which are attached hereto as Exhibit A; and

WHEREAS, The Village of Silver Lake is requesting its share of funds from the County of Summit and wishes to authorize the Mayor to execute the Application and Agreement for the Program; and

WHEREAS, pursuant to the Program guidelines, the Village of Silver Lake is required to establish a Special Revenue Fund titled Summit County COVID-19 PSGP Fund, and it is necessary to authorize the establishment of that fund within the accounts of the Village of Silver Lake.

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

Section 1: All funds received from the County COVID-19 Local Government Payroll Support Grant Program shall be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance as well as the Program guidelines such costs being those that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019(COVID-19);
- (2) Were not accounted for in the Village of Silver Lake most recently approved budget as of March 27, 2020; and

RESOLUTION NO.: 35-2020

- (3) Were incurred during the period that begins on March 1, 2020, and ending on December 30, 2020.

Section 2: That the Mayor is authorized to sign the Application and Agreement to participate in the Program; and

Section 3: That, in compliance with Program guidelines, the Clerk-Treasurer take all necessary action to:

- (1) Create within the accounts of the Village of Silver Lake a Special Revenue Fund titled Summit County COVID-19 PSGP Fund (“Fund”) for receipt of grant proceeds; and
- (2) On or before December 30, 2020, pay the balance of any money in the Fund to the County; and
- (3) Provide payroll reporting to the County pursuant to the Program guidelines.

Section 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5: That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the Village of Silver Lake and the inhabitants thereof, for the reason that timely administration of funds necessary for the Village is required, and provided it receives the necessary affirmative votes as required by the Village Charter, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

PASSED:

Gerald P. Jones, President of Council

APPROVED:

Bernie Hovey, Mayor

APPROVED AS TO FORM:

Robert W. Heydorn, Solicitor

RESOLUTION NO.: 35-2020

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

Exhibit A

County of Summit COVID-19 Local Government Payroll Support Grant Program Guidelines

The Coronavirus Disease 2019 (COVID-19) has had a significant impact on the health and wellbeing of the residents of Summit County and has adversely affected the economy and employment for residents, local businesses, non-profits and local governments. The County of Summit COVID-19 Local Government Payroll Support Grant Program (the "Program") is intended to provide Summit County political subdivisions with payroll funding to support employees substantially dedicated to mitigating or responding to the COVID-19 public health emergency and to help ensure such employees are not furloughed or otherwise laid off. Funding for the Program is derived from a portion of Summit County's direct payment allocation of funds received from the U.S. Treasury, under Section 5001 of the Federal CARES Act.

Under the Program, grant funds may be used to fund payroll and benefit costs associated with public health and public safety employees, who have been deemed by the U.S. Treasury Department, as a matter of administrative convenience, as being substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

Funding may cover eligible payroll and benefit costs ("Eligible Expenses") for the period 3/1/2020 to 12/30/2020. In order to comply with the provisions of section 5001 of the federal Coronavirus Aid, Relief and Economic Security Act, the following guidelines must be followed by any participating political subdivision.

Section 1 – Definitions

"Eligible expenses" are defined as the cost of wages or salaries and benefits (including health insurance premiums, life insurance premiums, FICA tax and employer pension contributions) of any employee of a political subdivision that is engaged in a public safety or public health related duty. Payments for the purchase of sick, vacation and compensation time and separation pay of any type, along with accompanying benefits, are not eligible expenses.

"Program Allocation Formula" is defined as the County of Summit Undivided Local Government Fund Alternative Method of Apportionment as established under section 5747.53 of the Ohio Revised Code, using population estimates from the U.S. Census Bureau for 2018. For purposes of calculating allocations, the Program Allocation Formula shall include the 2020 first provisional estimate of Local Government Funds, allocations to any Summit County Political Subdivision of Title V CARES Act funds under the 45% provision for local governments, made by the State Ohio and allocations of Title V CARES Act funds from Summit County's direct payment allocation.

Exhibit A

“Political Subdivision” is defined as any city, township or village in the County of Summit as well as the Summit County Combined General Health District.

“Program” is defined as the County of Summit COVID-19 Local Government Payroll Support Grant Program.

“Program Period” is March 1, 2020 through December 30, 2020.

“Public Safety Related Duty” is defined as employment in law enforcement, emergency medical service, fire service, or public health service and in such comparable classifications as “Police Officer”, “Sheriff Deputy”, “Emergency Medical Technician”, “Fire Fighter” (all of these being below the rank of Chief), “Dispatcher”, “Public Safety Communications Technician”, “Public Health Worker” or “Sanitarian”.

“Second-Half Tax Distribution” means the distribution of funds to a Party on the Second-Half Tax Distribution Date pursuant to Section 321.24(F) of the Ohio Revised Code, as amended from time to time.

“Second-Half Tax Distribution Date” means date of the distribution of funds to the various taxing districts in the County with respect to the Second-Half Tax Settlement Date pursuant to Section 321.24(F) of the Ohio Revised Code, as amended from time to time.

“Second-Half Tax Settlement Date” means the date of settlement of real property taxes and assessments pursuant to Section 321.24(C) of the Ohio Revised Code, as amended from time to time, provided such funds shall not include any amounts attributable to general or special assessments or payments in lieu of taxes.

“Special Revenue Fund” is defined as a fund established pursuant to Ohio Revised Code section 5705.10(D) and in accordance with Generally Accepted Government Accounting Standards.

Section 2 – Application and Agreement

Any Political Subdivision wishing to participate in the Program must complete and sign an Application and Agreement, which is attached to these Guidelines as Exhibit A.

The Chief Executive of the Political Subdivision must sign the certification attached to the Application that all employees whose wages or salaries and benefits will be paid with Program funds are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

Applications shall include a listing of the classifications of employees for whom eligible expenses will be paid using Program funds. The listing shall include the classification titles, number of employees in the classification and the total amount of the Political Subdivision’s 2020 budget that is allocated to wages and benefits for the employees in each classification.

Exhibit A

Applications must be received by August 15, 2020 for Round 1 of funding.

Section 3 – Computation of Amount of Funding

Multiple rounds of funding may be made available. In each round, funds available to a political subdivision will be computed based on the Program Allocation Formula. Additionally, funding may be offered to individual communities for special circumstances, including but not limited to, contributions made to the County's Covid-19 Small Business Emergency Relief Grant Fund. Summit County shall have sole discretion in approving funding made available for special circumstances.

For each round of funding the Chief Executive of the Political Subdivision shall be asked to sign the certification attached to the Application that all employees whose wages or salaries and benefits will be paid with Program funds are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

Section 4 – Creation of Program Fund

Grantees shall establish a special revenue fund pursuant to section 5705.10(D) of the Ohio Revised Code to account for funds received from the Program. Such fund shall be named Summit County COVID-19 PSGP and shall be appropriated by the legislative body of the grantee and used to pay eligible expenses of the program.

A copy of the resolution establishing and appropriating the Summit County COVID-19 PSGP Fund shall be provided to the County within 30 days of execution of the Agreement.

Employees whose eligible costs will be paid using Program funds must be charged to the Summit County COVID-19 PSGP Fund.

Section 5 – Reporting & Audit Requirements

Participating Political Subdivisions shall produce payroll reports evidencing the expenditure of funds for all employees paid out of the Summit County COVID-19 PSGP Fund on a monthly basis. Reports shall be submitted to the Summit County Department of Internal Audit by the 15th day following the end of the month, in the form set forth in Exhibit B. Such report shall be sent to: CaresActPayroll@summitoh.net

If an employee who is being paid out of the Summit County COVID-19 PSGP Fund ceases to be substantially dedicated to COVID-19 response during the course of the Program, the Political Subdivision must immediately remove said employee from the Fund and shall notify the County of such change.

Exhibit A

If an employee who is being paid out of the Summit County COVID-19 PSGP Fund retires during the course of the Program, the Political Subdivision shall notify the County. Separation payments, including but not limited to, sick, vacation and compensation time are not eligible expenditures of the Program.

The Summit County Department of Internal Audit shall have the right to examine all records and supporting documentation produced by grantees evidencing the expenditure of Program funds.

Section 6 – Reserve and Re-payment Requirements

Political Subdivisions shall encumber from general funds, an amount equivalent to 10% of Program funds received and shall maintain such encumbrance for a period of 1 year from the conclusion of the Program. This encumbrance shall serve as a reserve to help repay the County in the event findings for recovery are made by the Federal Office of the Inspector General, U.S. Treasury or State of Ohio, that Program funds granted to the Political Subdivision were spent in violation of Program Guidelines or in violation of the requirements of the CARES act.

Political Subdivision further must agree that, if any findings are made that the grantee spent funds in violation of Program Guidelines or in violation of the requirements of the CARES Act, they shall, upon demand, repay the grant funds in question. If such payment is not received by the date the County is required to satisfy the audit finding, the County retains the right to withhold the amount of the unsettled audit finding from the distribution to the Political Subdivision of the next succeeding Second-Half Tax Distribution. If such Second-Half Tax Distribution is not sufficient to repay the balance of the unsettled audit finding, the County may continue to withhold from successive Tax Distributions, an amount necessary to repay such unsettled audit findings.

The Political Subdivision must agree that it shall not contest, by filing an action for a writ of mandamus, writ of procedendo, request for declaratory judgment, or any action or means whatsoever, the validity of the right of the County or its Fiscal Officer to withhold such sum from the Political Subdivision's Second Half Tax Distribution as provided above, and the Political Subdivision will waive in the agreement any right it may have to make such contest, provided, however, that Political Subdivision does not waive its right to dispute the amount of the audit finding owed under this Agreement or the manner in which the finding was calculated, and can seek relief in law or in equity from its obligation to create and hold the disputed amount including but not limited to the right to seek a temporary restraining order or preliminary injunction preventing the County from exercising its rights under this Section to collect the disputed amount while legal action is pending.

Section 7 – Termination or Conclusion of the Program

Exhibit A

The County reserves the right to terminate the Program at any time upon 30 days' notice to the participating Political Subdivisions. Funds remaining in the grantee's Summit County COVID-19 PSGP Fund at the date of termination must be returned to the County.

On December 30, 2020 (unless earlier terminated by the U.S. Department of Treasury pursuant to subsequent enactment by the federal government) the Political Subdivision shall complete a final payroll report for the period up to December 30 that has not yet been accounted for by prior reports. Any Program funds remaining unspent in the Summit County COVID-19 PSGP Fund shall be returned to the County.

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

AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

WHEREAS, increased appropriations are requested to enable compliance with COVID-19 payroll relief & other omnibus items; and

WHEREAS, these appropriation changes are summarized as follows:

FUND	Description	Current Appropriations	Proposed Appropriations	Difference
A01	General Fund	\$2,563,717.00	\$2,401,417.00	-\$162,300.00
B04	Summit County COVID-19 PS	\$0.00	\$77,000.00	\$77,000.00
E08	Utility Trust Deposits	\$9,000.00	\$11,000.00	\$2,000.00
Total Appropriations		\$4,505,013.00	\$4,421,713.00	-\$83,300.00

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Silver Lake, County of Summit and State of Ohio:

Section 1. The annual appropriations Ordinance No.: 60-2019 be, and the same is, hereby amended to appropriate the following sums as follows for the fiscal year ending December 31, 2020:

GENERAL FUND:		
COMMUNITY ENVIRONMENT		
Contractual		\$1,500.00
LEGISLATIVE ACTIVITIES		
Contractual		\$200.00
SOLICITOR		
Contractual		\$500.00
CLERK-TREASURER		
Supplies & Materials		\$500.00
OTHER GENERAL GOVERNMENT		
Advances Out		(\$165,000.00)
NEW TOTAL GENERAL FUND		\$2,401,417.00
SUMMIT COUNTY COVID-19 PSGP		
Personal Services:		77,000.00
NEW TOTAL CORONAVIRUS RELIEF FUND:		\$77,000.00
UTILITY TRUST DEPOSITS FUND:		
Deposits Refunded		\$2,000.00
NEW TOTAL UTILITY TRUST DEPOSITS FUND		\$11,000.00
GRAND TOTAL APPROPRIATIONS - ALL FUNDS		\$4,421,713.00

Section 2. That the Village Clerk-Treasurer is authorized to make expenditures upon presentation of proper vouchers therefore and in accordance with applicable law.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of the Council; and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the Village of Silver Lake and the inhabitants thereof, for the reason that it is immediately necessary to make appropriations for current expenditures, and provided it receives the necessary affirmative votes as required by the Village Charter, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

PASSED:

Gerald P. Jones, 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