

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, March 4, 2019

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, March 4, 2019, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio.

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

State of the Village Address

Mayor Hovey presented his State of the Village address. The speech was attended by at least 80 to 100 residents of the community. Sandwiches and refreshments were provided by Mayor Hovey, who is the 14th Mayor of the community. A recap of the 2018 Centennial celebrations opened his address. A copy of Mayor Hovey's speech follows these minutes.

Mr. Jones continued with the agenda at 7:22 p.m.

Minutes of February 19, 2019

Mr. Jones said I have something to say about the minutes and what happened at the last meeting. We had legislation come before us that extends the time for the Planning Commission to look at an issue which they normally have 30 days to look at. This legislation came to us at our last meeting and we had an extensive discussion. Most of us questioned why we were asked to give them a six month extension. We had a lot of back and forth with the Law Director. During that part of the meeting, I asked to hold off on voting for this just to give us a little more time to think about it. According to the minutes, the Law Director said if you do that, the 30 days will be expired for them to do it. The fact is the 30 days had already expired. I looked at the Planning Commission minutes. They reviewed that legislation at their first meeting in December and didn't talk about it at their second meeting. They talked about it in February. According to what I saw, it was well beyond the 30 days.

Mr. Heydorn said I was told the time when they took it up was the time that I attended. That was the time frame I used.

Mr. Jones said they first took it up on December 10, 2018. When I asked for that extension of two weeks to think about it, it was a forced issue. I think every one of us on Council felt we had to do it. That's pretty much what you told us.

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Mr. Heydorn said not exactly, but okay.

Mr. Jones said I have the minutes. I think that's something I had to say. Is what we voted on a moot point because it already expired at 30 days? At the meeting you were at, and you may have left, the Chairman of the Planning Commission said (and I'm paraphrasing) I hope we haven't violated the charter of the Village by going beyond the 30 days.

Mr. Heydorn said that I did not hear, so I may have left before that time. He also said "Good catch, Bob."

Mr. Jones said what about the legislation we passed? Is it a moot point or not?

Mr. Heydorn said I don't believe it is. I'll look precisely at the language, but I don't believe it is. If you're asking for an opinion as to whether or not it's an invalid piece of legislation, I'd be happy to write an opinion on that, if that's what you need. I certainly would like a chance to study it before I do that.

If you want to reconsider, anybody who voted for it can, at the next regular meeting, ask to reconsider that particular ordinance. You can have a reconsideration motion. If a majority of this Council feels they want to wait because that wasn't the right thing to do, then somebody can raise that motion before the end of this meeting and it can be seconded by somebody who actually voted for it. You can then reconsider it and revote it.

Mr. Jones said I'm not suggesting that either way.

Mr. Plesich asked if that vote is even valid.

Mr. Heydorn said if that's what Mr. Jones is alleging, then I'll be happy to write an opinion.

Mr. Jones said not alleging. I'm asking the question because you're the Law Director.

Mr. Heydorn said okay, and I'll give you an answer when I've had a chance to study it. If you want an off the cuff answer, I'm not going to give it to you.

Mr. Jones said well you gave us an off the cuff answer last meeting when you said if we didn't vote for it, the 30 days expired, but it was already expired.

Mr. Heydorn said I had a different understanding of the facts than you did.

Mr. Jones said I read the minutes. You were at that meeting.

Mr. Heydorn said I was at that meeting, true, but I did not hear what you just said; that he wondered if we had passed the 30 day time period.

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Mr. Jones said he made that comment. I'm not criticizing the Planning Commission, but I felt at the last meeting it was shoved down our throat. We all felt, I think pretty much, six months was too long. I don't understand the reason for it.

Mr. Heydorn said I think you're speaking for Council, and I think you ought to ask them individually.

Mr. Jones said I'm just going by our conversation at the last meeting. You were coming at us pretty strong. I think most of us were a little irritated with your attitude. I'll wait for your opinion on whether or not that was a valid vote.

Mr. Heydorn said thank you.

There was no further discussion on the minutes of February 19, 2019.

Mr. Jones asked Mr. Sean Housley, Clerk-Treasurer, for the reading of any pending legislation that is up for first reading.

ORDINANCE NO.: 14-2019 AN ORDINANCE AMENDING SECTION 927.13 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE FOR MONTHLY BILLING PROCEDURES AND ESTABLISH NEW INCREASED RATES FOR SEWER CONSUMER CHARGES IN THE SEWER FUND, AND DECLARING AN EMERGENCY.

Finance & Appropriations

ORDINANCE NO.: 15-2019 AN ORDINANCE TO AMEND APPROPRIATIONS FOR EXPENSES AND EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019, RATIFYING CERTAIN ENCUMBRANCES RELATED TO SUCH APPROPRIATIONS, AND DECLARING AN EMERGENCY.

Finance & Appropriations

SECOND READING: None

THIRD READING:

RESOLUTION NO.: 07-2019 A RESOLUTION APPROVING THE FORM OF THE "SUMMIT COUNTY – AKRON REGIONAL RADIO SYSTEM USER AGREEMENT," FOR THE USE AND MAINTENANCE OF A COUNTY-WIDE REGIONAL RADIO SYSTEM, AND AUTHORIZING THE MAYOR TO EXECUTE THE USER

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AGREEMENT FOR A FIVE (5) YEAR TERM COMMENCING MAY 1, 2019, WITH FOUR OPTIONS TO RENEW FOR AN ADDITIONAL FIVE YEARS EACH FOR THE VILLAGE OF SILVER LAKE'S USE OF SAID RADIO SYSTEM, AND DECLARING AN EMERGENCY.*Planning, Zoning, and Insurance***Comments from the audience:**

John Dula, Gaylord Grove, Cuyahoga Falls, said I think your city is absolutely beautiful. I can spend hours with my wife driving around the lake and looking at houses. My children all went to Silver Lake Elementary. I'm here because I am a historian and researched Gaylord Grove, Silver Lake amusement park and others. I recently learned from Mary Lou VanSise that she is selling her home and I want to know if there are any plans for making the area a nature preserve.

Mr. Jones said I can't answer your question. I don't know of anybody who can. This is a business meeting. Maybe you can get in touch with the Mayor.

Mr. Dula asked if Silver Lake is interested in buying her (VanSise) property.

Mr. Jones said we have not had any discussion regarding that.

FINANCE AND APPROPRIATIONS COMMITTEE – MR. CHURCH

ORDINANCE NO.: 14-2019

Mr. Church said Council was provided bullet points regarding the issue.

Mr. Housley referenced a handout with bullet points of the most critical items impacting the sewer fund. He said that if you take the total year-to-date Consumer Charges at the end of February and multiplied this by six, it shows we're not going to meet our revenue forecast by about \$65,000 and this is because consumption has dropped.

Also, when we applied for the Lee Road project, they require we set targets for 20 years, which is difficult. We assert on this application that we will try to maintain a cash fund balance of between 25% and 50%. This helps maintain the solvency of the fund when unforeseen circumstances arise.

He also put together a summary of sewage treatment costs since the end of 2016 and noted that the Village is currently paying to treat inflow & infiltration (I&I) of Stormwater in the Sanitary System that did not exist in 2016. An example of inflow is when a residence downspouts or footers are hooked up to the sanitary system instead of the storm system. This is illegal. Infiltration is when tree roots get into their laterals. He thinks Inflow is the major problem. Mark's going to have to be the one that figures out what is going on with the system itself.

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In 2016, I&I was a negative 1,000,000 gallons. The County said that's unreasonably low. In 2017, after Silver Lake Boulevard, it was plus 15,000,000 gallons. In 2018, it was 33,000,000 gallons. Since we've replaced the old systems, I&I has become a new cost and it is here to stay. He had to sit down with the County to figure out what was happening.

Since the end of 2016 the County has increased their costs to treat our sewage by 14% and this was before the current I&I problem. Our increases were only 11.4% (less than the County). Since we had a healthy fund balance I did not think we had to react as sharply as they did but he was not expecting the new I&I problem. Additionally the County has been 3 to 6 months behind in billing us which caused delay in seeing the additional costs.

In addition to the I&I, this is the second consecutive year we have not earmarked money in the sewer capital fund. He wanted to see the outcome on the sewer projects. He thought the projects might reduce the costs of treating sewage. They didn't.

The requested increase in fees will not change our estimated revenues by that much; maybe \$5,000. At the end of the year we'll see what our fund cash balance is and we'll reevaluate the fees.

This measure is an emergency. If this is not passed, I don't believe the sewer fund will be solvent at the end of this year.

Mr. Church said the EPA is suggesting we have a balance of between 25 and 50 percent at the end of the year. With this increase, we will only have a balance of 10 percent.

Mr. Housley said yes; 10 or 11% forecasted. If your sewage treatment bills come in less than last year our cash balance will be better. I have to use last year's bills as our basis for being prepared. It would be great if we don't have another April bill for \$42,000 like we did last year. If circumstances improve this year, our cash balance will be better.

Mr. Jones said for residents who are sitting here wondering, will bills go up about \$5.56 per month?

Mr. Housley said they will go up around \$7 for the average household using five units a month.

A couple years ago the average household was using 6 units of water, now they are using 5. A couple of years ago the average monthly household cost was around \$96 this year \$95.

Mr. Jones clarified with Mr. Housley that this is an emergency in nature, but it does not have to be voted on as an emergency tonight.

Mr. Nichols said this is an emergency in nature, not procedurally tonight.

Mr. Housley said yes.

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Mr. Plesich said it doesn't make sense to me that we are using less water, and sewage treatment is based on usage. So if we are using less water, that's less sewage treated.

The increased difference between the water we purchase and redistribute is I&I. This is caused by what is coming down the downspouts and from the footers into the sanitary system. This is new.

Mr. Church said, so we can't measure that.

Mr. Plesich said that there is a separate meter ticking away on the sewage treated? Mr. Housley said yes. Mr. Plesich said when he's charged, his sewage treatment is based on his usage. Mr. Housley said yes.

Mr. Plesich said now you're talking something different, you're talking inflow. We did the Silver Lake Boulevard Project, the Lee Road Project and the purpose of those projects was to eliminate the inflow and the cross contamination because of the over and under. So theoretically we should have less inflow from those two projects.

Mr. Housley said that's what he was saying over a year ago. Mark's going to have to explain it.

Mr. Plesich said the outcome was counterintuitive to what you were expecting.

Mr. Lipan said I can clarify that. Not only are you keeping the water from coming in, but you are also keeping all the sewage in the pipe. Before, the sewage could have been leaking out and was not being metered.

Mr. Plesich said on-top of that we alleviated some area's along the boulevard that we knew the water (storm) was not hooked up properly.

Mr. Lipan said it was going nowhere. None of that was being metered.

Mr. Plesich said now that's being metered. Mr. Lipan said yes.

Mr. Church asked how much inflow is being treated. Mr. Plesich asked how much has it increased.

Mr. Plesich said that over the last year we have a serious amount more in inflow than we ever have.

Mr. Housley said I has quantified what the additional I&I treated is. It is a positive 33.7 million gallons in 2018 vs. a negative 1 million in 2016, which meant we treated one million gallons less than we sold to the residents in 2016 (a difference of 35 million gallons). We were having a sewage system problem in 2016, then we corrected it.

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Mrs. Dunphy said we treated almost 62 million gallons in 2016 and 87 million in 2018. That's a 26 million gallon increase. As we're making the sewer improvements, are we getting more metered sewage?

Mr. Lipan said it's doing better for the lake, but not better for your wallets.

Mrs. Dunphy said we need to look, going forward, to see if we have houses that are illegally connected. I think it's our responsibility to be looking at that issue, maybe through our Public Improvements Committee.

Mr. Church asked how much more dye testing we need to do. We are just starting the CTI test.

Mr. Lipan said we are starting, hopefully, the first of April. They want to do it in a wet month so they can see if there is still a lot of flow from the areas we repaired.

Mrs. Dunphy said we may need to be budgeting money in the sewer capital improvement fund for repairs related to infiltration issues. We also need to be looking at home inflow from residents.

Mr. Housley said I hope we don't have a lot of rain this summer. We'll talk more about what we need to do during the budget process. Because the County is so far behind, when we start our budget process in October I don't have enough information, as they might be five or six months behind.

Mr. Plesich said I think this is a spike, not a trend.

Mr. Housley said this is a trend that's here to stay.

Mrs. Dunphy said as we look at next year's budget, if we haven't made any increases or allocations in that fund, that's something we need to be looking at.

Mr. Nivens said I can't get my head around that we are not being billed on time, as they have the number every month.

Mr. Housley said the County told him Akron is late getting them the number every month.

Mr. Nichols asked for a definition of infiltration.

Mr. Housley referred Mr. Nichols to a handout, which identifies infiltration as coming from tree roots getting into the pipes. Inflow is illegal hookups into the system. I think inflow is the bigger problem.

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Mr. Lipan said we get calls all the time about backups. Our sewer is running good and the residents have a plumber who uses a camera and they find out they have a lot of tree roots in their lateral. If there are tree roots, there is water getting in. It costs \$3,000 to \$5,000 to repair.

Mr. Nichols asked if the increase will get us to the \$30,000 shortfall.

Mr. Housley said the shortfall will be \$65,000 in revenues. In addition, we have increased expenditures. It gets us to around a little over \$100,000, which is about 11 percent, not 25 percent, but it gives us time to talk about it again in October.

Mr. Nichols said this changes the budget amount from \$264,000 to \$294,000 for this year. That may not be enough, based on history.

Mr. Church asked what the number of benefits is per user for the boathouse.

Mr. Lipan said the benefits are in the codified. Mr. Housley said it's one benefit.

There being no further comments or questions, Mr. Church encouraged Council to study the bullet points and we will bring this back for another reading.

ORDINANCE NO.: 15-2019

Mr. Housley said I've asked for an increase in appropriations for 2018 sewage treatment costs for \$3,551 more. There is another \$30,100 in appropriations for increased sewage treatment costs this year. There is a contract for \$3,400, workers compensation for \$500, and some unemployment costs for a part-time seasonal employee, which I don't expect to be more than \$400.

Mr. Jones said a resident was out of town and had a water break. It was my understanding the new software for the meters would tell us that was happening.

Mr. Lipan said it has to be over a 24 hour period, as it reads 96 times each day. That particular incident was over a several hour period.

Mr. Jones asked if there is any way to modify that. You get a lot of water in 24 hours. It seems there could be a way we could change the timing.

Mr. Church said the office does call after 24 hours when there is a leak, as he has had personal experience.

There being no further comments or questions, Mr. Church said this Ordinance would be brought out for adoption tonight.

Mr. Church said **Ordinance No.: 15-2019** was discussed in committee and is ready for adoption.

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Motion to suspend the rules by Mr. Church, seconded by Mrs. Dunphy

Roll call: Yes 7 No 0

Motion to adopt by Mr. Church, seconded by Mrs. Dunphy

Roll call: Yes 7 No 0

Mr. Church said the **Statement of Cash Position of February 28, 2019**, was presented.

Mrs. Dunphy said we have an unencumbered balance in the Sewer Capital Improvement Fund of \$69,000, so we have some funds.

Mr. Housley said we should be continuing to earmark money, which Mr. Lipan typically uses to buy equipment. He doesn't have any more equipment planned for this year, but we need to sustain that cash balance.

Mr. Church moved to accept the Statement of Cash Position. Mr. Plesich seconded. All members signified approval by saying aye.

Mr. Church asked if there were any questions on the **Payment of Claims for February 28, 2018**. Hearing none, Mr. Church concluded his report.

PLANNING, ZONING AND INSURANCE COMMITTEE – MR. NICHOLS

RESOLUTION NO.: 07-2019

This is on for a third reading tonight for the Akron Regional Radio System Agreement, commencing May 1, 2019. This increases the cost of our 21 radios from \$12 to \$20. There was a question about the County reimbursing us if something was not our fault.

Mayor said there was a clause about us indemnifying the County for anything that might be their fault, and we could not hold them responsible. I had a legal opinion from Mr. Heydorn voicing our objections and brought it up at the Mayor's meeting last Tuesday. To my surprise, none of them had a problem with indemnifying Summit County in case Summit County has an issue. They have all signed the contract. What I would like to do is sign the contract, because we need to, but I would like to have that clause stricken. I would bring it back to you asking for an amendment and see how they react to it. The clause is on the last page of Exhibit A under "Release."

Mr. Heydorn read the clause and then explained the problematic section. A third party can sue us, but we can't go back to the County if they are at fault. That's not what a good negotiated contract is like. Each party is responsible for their own negligence and you shouldn't ask indemnification from everybody else for your own negligence. Secondly, the Mayors at that meeting said they are convinced that immunity applies, so nobody can be sued by a third party. If that is true, why is

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this clause here in the first place? Why do they need to be indemnified from something they are already immune from?

Mr. Church said if we are able to remove this clause, what are the chances of that being acceptable?

Mr. Heydorn said I don't know, but probably very little. We have to be part of this. You may be forced into a situation that is unfair. Insurance coverage will not cover assumed liabilities like this. If they are going to force you into something like this, then somebody has to decide if the risk of not using this system is more important than the possible liability. Ultimately I suspect somebody is going to make that decision. My point in making my decision is I'm not going to make that policy decision, because that is not my role. I'm here to tell you what I think is legal or not.

Mrs. Meyer asked why we signed the same release in 2009. It has the same language.

Mr. Heydorn said it may be but we didn't catch it. Or we said okay, fine, we recognize the risk but we're going to sign it because we have no alternative. This time I am pointing it out to you. If you want to pass the thing as is, go right ahead. That's your policy decision.

Mr. Plesich asked what our options are. It sounds like you're telling us not to pass it.

Mr. Heydorn said I'm not telling you anything. Personally, what I would do is, cross this out and submit it to them. If they reject it, then you know you have a decision to make, but the idea of not even testing it seems to me a little reckless. That's just an opinion.

Mrs. Dunphy read the objectionable part, which states "the user agrees to release and not hold liable the owners for any liabilities, negligence or expenses arising....."

Mr. Heydorn said that's the objectionable part, as we have to release them from any liability.

Mrs. Dunphy asked if we should table it or amend it tonight.

Mr. Heydorn said it doesn't have to be signed until April 30. You can table it.

Mrs. Dunphy said if we strike the last two sentences and approve it tonight, then we have time to test it prior to May 1.

Mr. Heydorn said we will strike it out, initial it, and if they don't read it that's their problem. The only thing I want you to strike out is the second to last sentence that starts with "***The***, ending with ***agreement.***" That should be crossed out. You should amend Exhibit A before you pass this.

Motion to amend Exhibit A by Mrs. Dunphy, seconded by Mr. Church.

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Mr. Plesich said we need to move to adopt first.

Mr. Nivens said I have a question before we do that. We have a current invoice from the County and on the back of the invoice it says the user agreement had to be signed and submitted by February 15. We already have the equipment and are using it.

Chief Norris said it doesn't have to be signed until April 30.
Mr. Nichols said they are going by when it becomes effective.

Mr. Nichols moved to adopt **Resolution No.: 07-2019**, seconded by Mr. Plesich.

Mrs. Dunphy moved to amend Resolution No.: 07-2019, striking the second to last sentence in Exhibit A, 17, that says *"The user agrees to release and not hold liable the Owners for any liabilities, negligence or expenses arising from or related to this Agreement."* Seconded by Mr. Church.

Roll call on motion to amend:			
Yes	7	No	0
Roll call on motion to adopt:			
Yes	7	No	0

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey said a few meetings ago we talked about the Munroe Falls shooting range and I have been meeting with officials from Munroe Falls, Stow, Tallmadge and Cuyahoga Falls. There has been a settlement reached. Munroe Falls is covering 50 percent of the settlement and the rest is being split among the other communities. Our share is around \$1,000, based on our usage. I don't know whether I have to bring that to you for approval, or if I can go ahead and sign it.

Mr. Heydorn said my opinion is unless Council wishes, as you always have the right if you want to, the amount is so small we could treat that as a final bill for that operation. This is our share of final cleanup costs. We are out of the lawsuit. If Council wishes, I could draw something up, or, legally, the Mayor has authority in treating it as a final payment on the bill for usage on the firing range. Council members were in agreement with that. No one expressed an objection.

Chief Norris said we were not billed by Munroe Falls. What's upsetting about it closing is that we cannot find a free range now.

Mr. Heydorn said the closing of that range was less about the environmental impact and more about appeasing a neighbor who didn't want that firing range there. Once it became an EPA lawsuit, it became about the cleanup costs.

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Mr. Robert Heydorn, Village Solicitor, had no report.

Chief Jamie Norris reported we had some wind damage and power outages on Sunday. One of our Service Department employees went with me door to door to homes without power. We made sure we didn't have any elderly residents home alone. There was power out on North Dover Road on Sunday evening, but the traffic light at Graham Road and North Dover Road was working. Most places had power restored quickly. There was an accident at Harriett Road and Kent Road on Friday involving two cars, but no serious injuries.

Mr. Mark Lipan, Service Director, reported we went out for bid for paving. Bid opening will be March 18, 2019. I'll have something for you April 1, 2019. Last Tuesday we had the EPA inspection on our water distribution system. We passed everything and had two recommendations.

Mr. Sean Housley, Clerk-Treasurer, reported he put some financial statements in Council's packets regarding the end of the year. One is called a regulatory basis and the other a cash basis. The regulatory is subject to audit. The cash basis shows you how you get to the regulatory basis.

Miscellaneous Business

Mr. Jones said he did not lose power in the storm but did lose service from Spectrum TV. Then his bill went up \$160. If you are on Time Warner, watch out.

Where are we on health insurance? Renewal date is April 1.

Mayor Hovey said I've been told by The Fedeli Group they should have some quotes back to us this week. Wichert should be in about the same time. When those quotes are received, we can sit down and look at the quotes and decide what we have to do. I think we are actually a few days ahead compared to last time.

Mr. Housley said the quotes should reach us by March 13, 2019.

Mr. Jones said we should be on The Fedeli Group at the end of the year. We shouldn't be caught every year. Last year they said it would probably be a 12 percent increase and it was a five percent increase. Now it's 12 percent.

Mr. Housley said we start the second week in January. We can move it up to December.

Mr. Jones said he would like Council members to go through the Council Rules and modify and make some changes and go forward with it.

Mr. Heydorn said in that regard, I am committed to come up with some language regarding the time frames for submitting items for the agenda. I have some suggestive language which I have copies of for everybody.

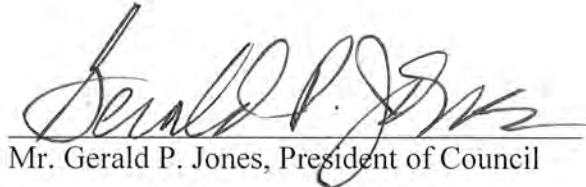
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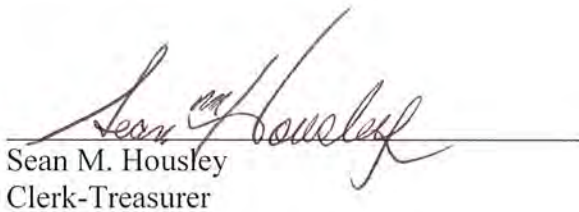
There being no further questions or comments, Council adjourned at 8:32 p.m., until the next regular meeting of Council on Monday, March 18, 2019, at 7:00 p.m.

APPROVED:



Mr. Gerald P. Jones, President of Council

ATTEST:



Sean M. Housley
Clerk-Treasurer

prepared by: Darlene Pedicino
reviewed by: Suzanne Lipan

State of the Village March 2019

Good evening, and thank you for coming out tonight. I know your attendance tonight may cause you some inconvenience – but at least you got some food. I greatly appreciate the fact that you are here. I promise not to speak too long. If I've learned anything about public speaking, it's that it's best to leave your audience before they are ready to leave you. What I have to say tonight is important for you to hear. It's important that you know and understand what your government leaders are doing to protect and preserve the life we enjoy in Silver Lake. I can see that some of you are already on the edges of your seats; I hope it's because you're anxious to hear what I have to say, and not because you're looking to make a quick exit.

In 1918, Silver Lake was incorporated as a village. Our first mayor was William R. Lodge. Over the next 100 years, 11 men and 2 women have served as mayor. I had the honor of becoming the 14th mayor of Silver Lake in 2006. I believe that all of our mayors have served with distinction, and served because of their love for the Village. I include myself in that description. Each mayor had his or her strengths, and weaknesses. I know that I have my weaknesses, but I also have strengths. I like to think my greatest strength is my ability to listen. In all the decision I have to make, I try first to take advice, before I give it. Perhaps this is because when I was much younger, when I studied Greek history in school, I remembered learning that Socrates didn't ask for a lot of advice, but gave lots of advice.....and they poisoned him.

As is the norm, 2018 was a busy, interesting and exciting year. New challenges, new projects, new legislation, new employees, new equipment, and a very successful celebration of our centennial. Let's start with that.

Our birthday year included golf outings, music at the gazebo, and a new patio at the gazebo, a patio featuring almost 400 inscribed bricks containing messages of love or remembrance to, from, and for many residents, one of the bricks even contained a marriage proposal. We also had food trucks, an art show, a wine tasting event, banners proclaiming our centennial, a very professional and beautiful centennial painting, an exquisite quilt depicting our rich history, an ice cream social, rock painting, 5k runs, pancake breakfasts, a show at SLCC, and an

all-Village celebration day. So many people were involved in putting all this together -scores of people. Many of you are in the room tonight, thank you for your hard work and devotion to the Village. Even more of you took part in the many centennial events. You'll notice the large centennial banner on the wall behind me, signed by many, many residents expressing their love for the Village. I hope each of you had the opportunity to sign it.

And if the centennial celebrations were not enough of an excuse to party, we also had several interesting programs throughout the year sponsored by the SLHS. Programs dealing with archeological digs, Indian settlements, Silver Lake Amusement Park, the history and architecture of Silver Lake and Silver Lake School, and even a program for young kids. Add to that the Pay the Shade Forward program, and perhaps the culmination of it all, another spectacular Festival put on by the Garden Club. A lot of work went into all of this, but how much fun we had!

And, of course, the work of the Village went on.

1. We recently passed a new salary ordinance, one which we can readily afford, and one which pays our employees wages much closer to what they truly deserve.
2. Council also raised from \$5000 to \$25,000 the limit I have to spend on things needed for the Village. Don't worry, this was not a blank check. What it did was eliminate the needless step of asking for a second approval to spend money that had already been appropriated through the budget process. It placed the decision of what to buy, and when and where to buy it, squarely where it needs to be, in my hands, and those of our department heads.
3. We fortified the western bank of the stream at Fenwick Park a few years ago, but erosion was continuing to be a problem. Hence, this past year, we fortified the eastern bank to address this problem.
4. A new brewery opened up this year on the Silver Lake – Cuyahoga Falls border. And while we welcome any new business to the area, especially one catering to food and spirits, the parking problems that brewery caused on Landon Road proved to be a headache for the residents living on Landon. I had "No Parking" signs erected, and the problem disappeared.

5. Council approved a bee keeping ordinance this year. Previously, it was unclear whether bee keeping was a lawful hobby allowed in Silver Lake. This ordinance now allows anyone who wishes to keep bees on their property, and who can comply with the stipulations in the ordinance, to do so.
6. The Lee Road sewer project finally became a reality. And, as with any construction project, this certainly caused problems and inconvenience for residents living in that area. But it was a project that needed to be done. Another unfunded mandate from the EPA, we had to correct the illegal situation of over/under sewers, and we had to address the infiltration of rainwater into our sanitary sewers, as well as the flow of unwanted pollution into the waters of Silver Lake. The project will be finalized, and all ground surfaces returned to their pre-construction conditions as soon as the weather permits.
7. We entered into a project with the City of Stow and AMATS (the Akron Metropolitan Area Transport Study) to repave Graham Road from Route 91 up to the railroad tracks. The total cost of the project will be around 1 million dollars. Because of our partnership with the two previously mentioned groups, our cost will be around \$200,000. Without this partnership, if we had to pave our portion of Graham Road on our own, the cost would probably have been in excess of \$700,000. The project will start in the spring, and will take several months to complete.
8. We have always made our recreational facilities – the gazebo, the picnic pavilion, the baseball field, the basketball court and the tennis courts - available to virtually anyone, and at no cost. However, there is a cost to keep those areas in good repair. So this year we instituted usage fees on all but the tennis courts and the basketball courts. The fees are nominal, and lesser fees are charged to residents. I should also note that our tennis courts can now also be used for pickle ball. The courts were lined and equipped for pickle ball after we received a generous donation from Don Sitts of Don Sitts Auto in Cuyahoga Falls. By generous, I mean he paid 100% of the cost.

9. We again had a deer cull program this past year. While some people opposed this action, I know that the vast majority of residents supported it. Most people like deer, think they're cute, and do not harbor wishes to kill them. However, they also realize there are too many deer in the Village – I have reports from residents of having groups of 5, 7, 11 and even 18 deer in their yards at various times. The fact is that deer carry disease, that they cause accidents, that they can be threatening and that they cause property damage. When it comes to the safety of residents versus the preservation of deer, I choose the former.

10. One of the biggest concerns residents continually voice to me is the issue of speeding in the Village. We are taking, and have always taken, steps to attack this problem. We now have "Pedestrian Crossing" signs on the Boulevard near the boathouse during peak summer time hours. We've improved or installed pedestrian crossings at key intersections. I've instructed the police to be vigilant in writing speeding tickets, especially on Kent and Graham Roads, on the Boulevard, on Vincent Road, on Englewood Road and on roads around the school. These seem to be areas of most concern. I have no interest in becoming known as a ticket city; I have great interest in making the streets of the Village safe. I might add that as I reviewed the police reports on traffic tickets over the last few years, we do use discretion. In 2013, we wrote over 1300 traffic citations, but also gave out almost 1300 warnings. Our most recent report shows us writing just under 2000 traffic citations, but also giving more than 2400 warnings. Yes, we do ticket, but we also use good judgement, and assess each case on its merits when doing so.

11. In 2018 we purchased 2 new police cruisers, and 1 new service department truck. We replaced the detective car with a small SUV, and received, via a drug confiscation, another small SUV to replace a small dilapidated service department truck.

12. We repaired 12 water breaks, cleaned 2.3 miles of sewer lines, replaced 41 street signs and posts, kept the roads clear during the recent polar vortex, and picked up 4840 cubic yards of leaves.

13. After 8 years of outstanding service to the Village, John Conley retired as police chief a month and a half ago. I was pleased to promote Lt. Jamie Norris to that position, and also to promote Dave Childers to the position of lieutenant. Please congratulate both of them.

So what's ahead for 2019, here's just a few things:

1. We will have engineering done for a desired Englewood Road improvement. Too long ignored by the Village, that street needs sewers, sidewalks and curbs. As Stow residents will also benefit from the improvements made on Englewood, we hope to get support and cooperation from Stow when that project commences. My preliminary discussions with Stow Mayor John Pribonic regarding this project have been very positive. We hope to start this project sometime in the year 2020.
2. I am happy to report that we have about \$28,000 left over in the centennial fund. We will use some of that money to continue our concerts at the gazebo this summer, and are also looking at the possibility using some of it to erect a modest digital sign in front of Village Hall, a sign which will enable us to trash the ugly, embarrassing, broken sign on wheels we now use, and one that will help us better communicate with residents.

3. Our financial situation is both sound and stable. Our general fund has an unencumbered balance of 1.7 million dollars, considerably more than accepted guidelines tells us we need. To keep loan payments down, we encumbered \$250,000 from the general fund to help pay for the Lee Road project. Our other various funds are also adequate, even healthy. One fund, however, merits serious attention - the sewer fund. We have received ridiculously high and totally unforeseen sewer bills from Summit County, some of it due to inflow problems we continually address, and some of it due to the sewer problems in Akron. The sewer fund is an enterprise fund, and should be self-sustaining. At this point, it is not. The clerk-treasurer is examining what needs be done to shore up this fund, and will make a recommendation to Council at its meeting tonight. Undoubtedly, his recommendation will be for an increase in sewer fees to residents. While both Council and I will keep any such increases as minimal as possible, we also realize we must ensure the integrity of the sewer fund.
4. I was a public school teacher for 38 years, and a private school teacher for 7 additional years. I would never diminish the very important and very personal role of private education in our society. But I firmly believe in, and will always support, public education. Hence, I will continue to express to the proper school authorities the importance of maintaining the physical presence of a school in Silver Lake, be it the school we now have, or a new one built on that site. Silver Lake Elementary School is our only physical connection to the Cuyahoga Falls Public School system, a connection that would be unwise to sever.

A great football coach, Vince Lombardi, once said "The price of success is hard work and dedication to the job at hand, the determination that whether we win or lose, we have applied the best of ourselves to the task at hand". Ladies and gentlemen, I am proud to say that those who work for the Village take those words to heart. Be it members of Council, or service department workers, or our police men and women, or those who work in the administrative office, in the treasurer's office or in our legal department, or the many men and women that serve on our various standing committees, these people give me the best they have every day. They are the reason we are successful in what we do in Village government. Please show your appreciation for them by a round of applause.

But not only proud of my staff, I am also very proud and very appreciative of the efforts to improve the lives of others made by so many Silver Lake residents. Residents like Jim Newhouse who is so very active in the Meals on Wheels program, or Maria Pocek who is active with our local girl scouts troop, or Katie Kuzcyk for her work with Summit County Animal Control, or Cynda Zuch for her continued beautification work throughout the Village, Hank Gulich for his volunteer efforts with the park system, Patty White for her efforts to better our schools, Rebecca Brockmeyer for her work with the Home and School League, Fred Johnson for his leadership on the SL Board of Trustees, Gary Kinsey for being there to help anyone, anywhere, anytime – so many more of you are doing similar things. We are truly a caring community; your efforts are a godsend to those who need it.

I take great pride in my service to you as your mayor. As I've said many times, and as I hope I show every day, I love this place we call home. I love my children; my grandchildren light up my life, and I love and adore my wife, Kathleen. Life with her is heavenly, though at times, to her, I'm sure life with me might seem like she is doing her earthly penance. I love Silver Lake. I love being your mayor. And while I feel much has been accomplished during my administration; I know there is yet much to be done. I try to serve with honor, with both pride and humility, and with passion. One of my favorite quotes comes from Albert Einstein, "Try not to become a man of success, but rather a man of value". I do strive for success, but my prayer every day, is that you feel I have been of value to you. Success without value is not success at all. I hope that any value you may see in me is rewarded this coming November, when, with Kathleen's support, I will again ask for your vote to be the mayor of Silver Lake for another 4 years.

Thank you for your attendance and your attention.

GC

PB: SMH 02/19/19
 Purpose: Compare sewage treatment costs to rainfall and water sales. Also analyzes inflow & infiltration (difference between water sales and sewage treated)

Costs	2018				2017				2016			
	Actual Costs 2018	Monthly ¹ Rainfall (Inches)	Monthly ² Water Sales Mgal	Monthly ¹ Sewage Treated Mgal	Actual Costs 2017	Monthly ¹ Rainfall (Inches)	Monthly ² Water Sales Mgal	Monthly ¹ Sewage Treated Mgal	Actual Costs 2016	Monthly ¹ Rainfall (Inches)	Monthly ² Water Sales Mgal	Monthly ¹ Sewage Treated Mgal
Jan	21,339.64	1.2000	4,518.982	6,098.710	25,903.87	2.8900	4,999.980	7,347.992	16,006.83	0.4500	4,301.299	4,879.072
Feb	27,236.01	3.8800	4,158.421	8,907.805	20,933.23	1.9800	4,142.712	5,840.261	18,478.51	2.3000	4,041.725	5,948.591
Mar	32,831.30	2.5400	3,749.985	10,564.455	25,982.67	3.5300	3,815.065	7,916.935	20,592.79	3.4700	4,333.465	7,393.654
Apr	43,422.53	4.2500	3,806.089	12,699.161	31,351.57	3.8800	3,994.598	9,277.768	20,989.99	2.5700	4,643.907	7,873.637
May	30,123.18	3.4600	4,933.403	7,764.296	28,957.56	6.1100	5,719.606	9,554.351	17,078.36	2.1400	3,934.005	5,974.242
Jun	18,869.09	3.5000	4,394.806	5,833.726	21,219.75	4.4500	5,044.863	5,397.905	13,918.36	3.1600	9,855.585	4,349.870
Jul	19,325.85	2.8000	5,700.156	5,506.014	15,720.00	2.6700	5,773.465	5,005.749	13,167.67	2.8100	5,636.572	4,255.996
Aug	18,736.97	4.2900	5,472.748	5,235.352	16,914.04	2.0500	4,594.535	4,341.061	12,334.54	2.3300	5,531.845	3,797.343
Sept	21,135.08	6.0600	4,432.208	6,344.487	13,320.93	0.9400	5,410.660	3,775.403	12,601.64	6.6800	5,459.283	4,176.610
Oct	18,329.28	3.3600	4,171.886	5,654.971	16,421.84	2.6900	4,882.535	4,127.293	12,463.28	3.0900	5,700.904	4,050.950
Nov	22,639.25	2.7900	4,172.634	6,795.775	18,813.32	4.6100	4,821.195	5,560.118	11,608.59	1.5300	4,326.733	3,598.828
Dec	20,100.83	1.9700	4,063.418	5,884.606	17,015.61	0.7800	4,244.447	4,780.864	17,313.75	1.7400	5,061.320	5,554.684
Total:	294,089.01	40.1000	53,574.736	87,289.358	252,554.39	36.5800	57,443.661	72,905.700	186,554.31	32.2700	62,826.643	61,853.477

% Increase (Decrease) 16.45% 9.62% -6.74% 19.73% 35.38% 13.36% -8.57% 17.87% 1.594.41

\$ \$ Increase (Decrease) \$ 41,534.62 14,383.658 \$ 66,000.08 11,052.223 15,462.039 (973.166)

Inflow / Infiltration: (water sales vs. sewage treated) 33,714.622

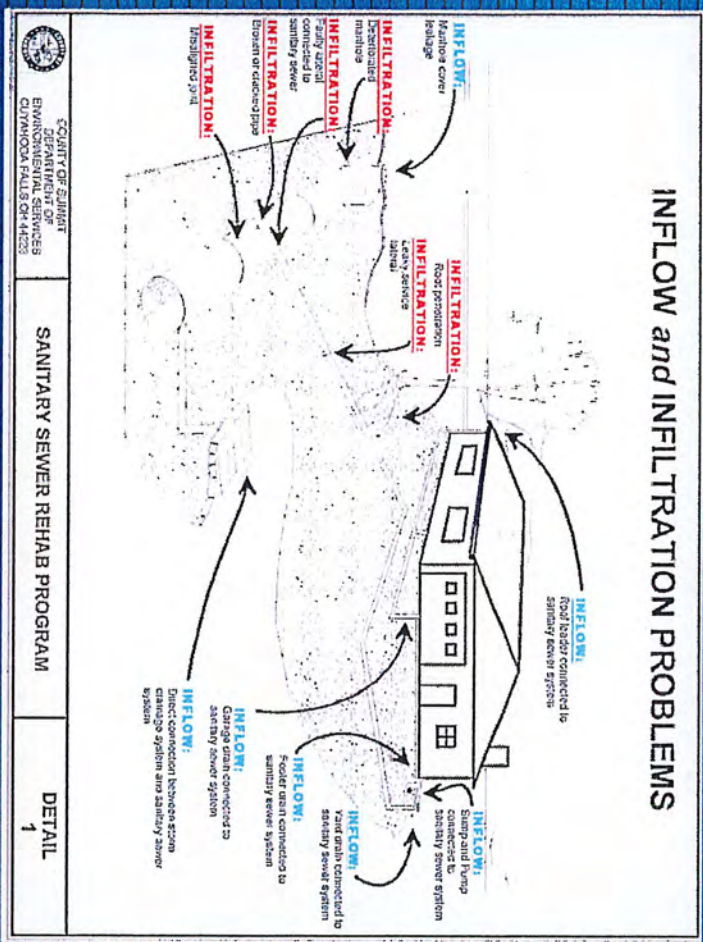
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INFORMATION PACKET/CONT.

What is I/I?

INFLOW and INFILTRATION PROBLEMS



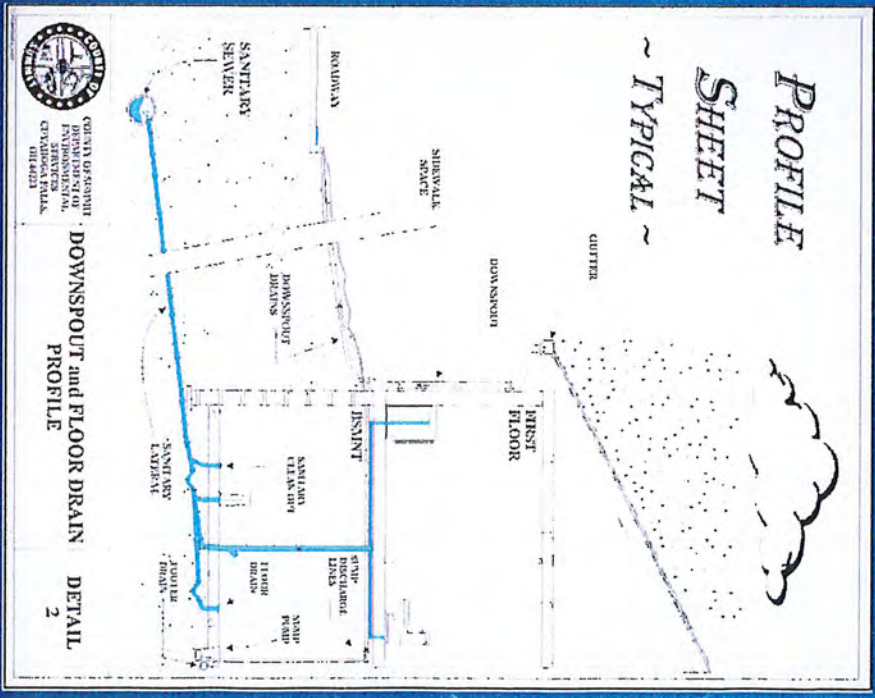
COUNTY OF SUMMIT
DEPARTMENT OF ENVIRONMENTAL SERVICES
CUMMINGTON FALLS OFFICE

SANITARY SEWER REHAB PROGRAM

DETAIL 1

And the #1 Question

PROFILE SHEET ~ TYPICAL ~



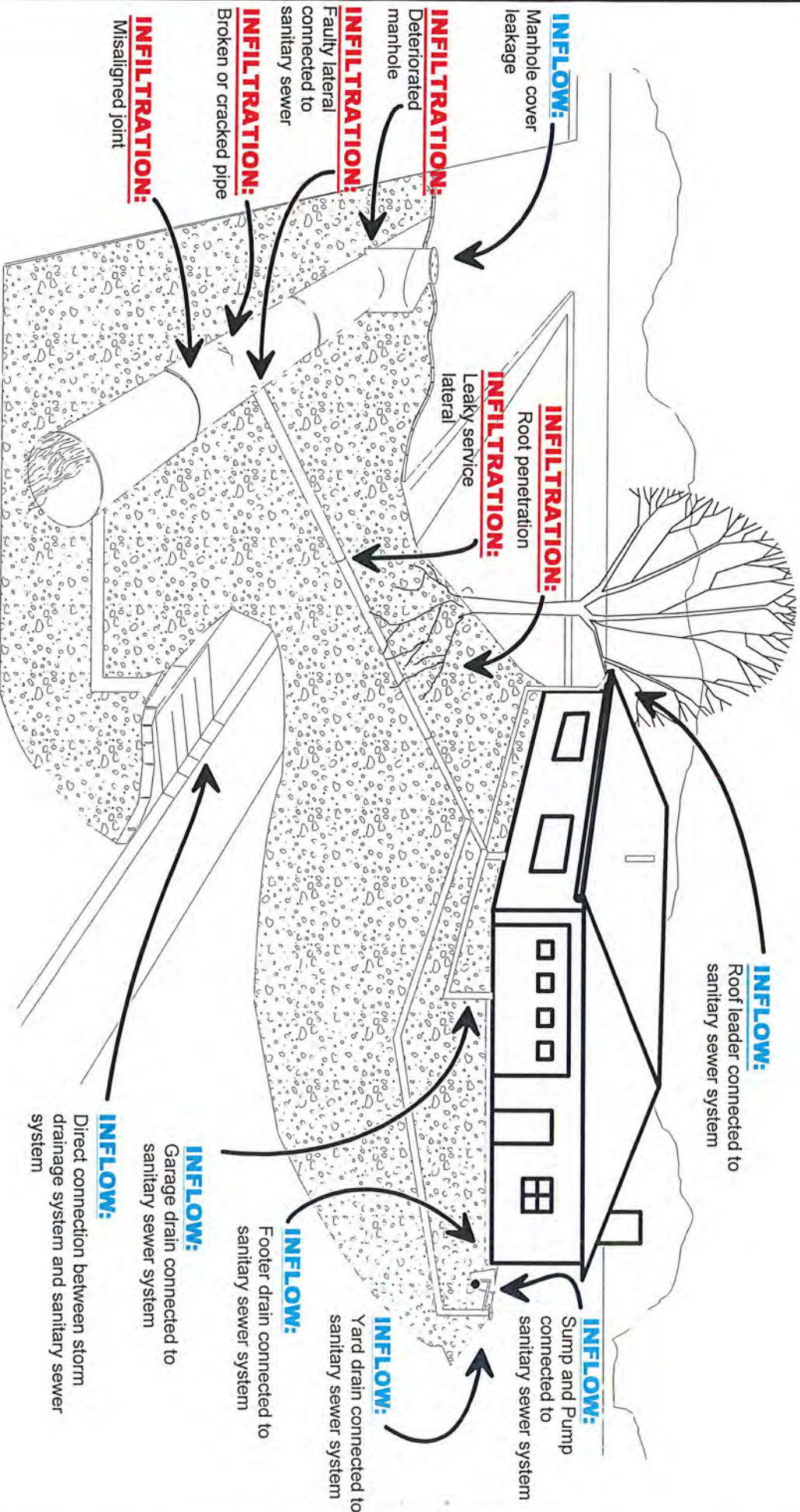
COUNTY OF SUMMIT
DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY SERVICES DIVISION
CUMMINGTON FALLS OFFICE

DOWNSPOUT and FLOOR DRAIN PROFILE

DETAIL 2

Why My house?

INFLOW and INFILTRATION PROBLEMS

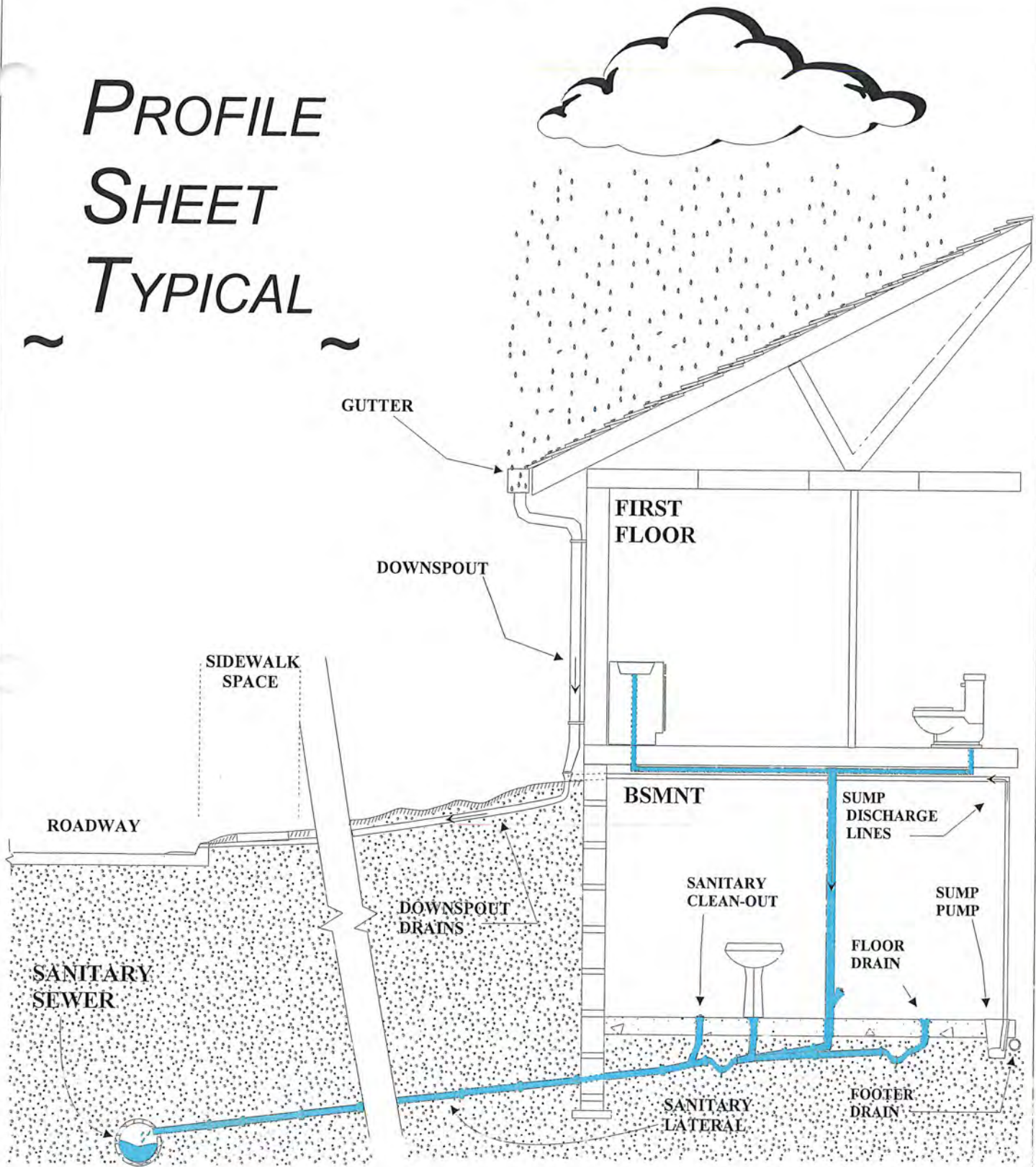


COUNTY OF SUMMIT
DEPARTMENT OF
ENVIRONMENTAL SERVICES
CUYAHOGA FALLS, OH 44223

SANITARY SEWER REHAB PROGRAM

DETAIL
1

PROFILE SHEET TYPICAL



COUNTY OF SUMMIT
DEPARTMENT OF
ENVIRONMENTAL
SERVICES
AKRON, OH 44308

DOWNSPOUT and FLOOR DRAIN
PROFILE

DETAIL
1