

**REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, March 18, 2019**

**7:00 p.m.**

The Village of Silver Lake Council met in a regular session on Monday, March 18, 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

There being no additions or corrections, the minutes of March 4, 2019, were approved as submitted.

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

**RESOLUTION NO.: 16-2019 A RESOLUTION AUTHORIZING THE MAYOR TO EXPEND FUNDS NOT EXCEED \$39,990, FOR THE PROVISION OF BULK ROCK SALT FROM CARGILL, INC., IN ACCORDANCE WITH THE COMMUNITY UNIVERSITY EDUCATION (CUE) PURCHASING ASSOCIATION, AND DECLARING AN EMERGENCY. (Finance & Appropriations)**

**RESOLUTION NO.: 17-2019 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE SUMMIT COUNTY INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR JOB CREATION AND RETENTION AND TAX REVENUE SHARING. (Personnel & Public Affairs)**

**SECOND 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)**

**THIRD READING:           None**

**Comments from the audience:**

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**Dennis Stoiber, 2850 Hastings Road**, said regarding Silver Lake Elementary School, I come as a representative of the Planning Commission. I want to set your minds at ease that we are working on the issues. The Commission requested a title search to be done so that we knew the status of the property. We put together a draft, and I anticipate it will be done well in advance of the deadline (which we saw as June 7, 2019). I just wanted to assure you we are working on it. The issues involved are a bit more complex than you thought at first. We've had a lot of discussion and we have a lot of information. Mr. Stoiber asked if there were any questions.

Mr. Church said I think it's been proposed that we enter into discussion with the school board. Is that something we need to be looking at doing?

Mr. Stoiber said we are looking into that. We think that is a more constructive way than to preemptively rezone. We laid out in our report what our thinking on that is. We feel the school board might be very receptive to working with the Village so the result is mutually beneficial. That's part of our recommendation.

Mr. Jones said I attended the last Planning Commission meeting, and there is a lot more to it than I thought. There are a lot of things to look at. I'm glad you are taking a look at it. And we will wait for you to get back to us.

Mr. Stoiber said we appreciate the support from all of you. I think you'll be happy with the thoroughness of our report and what we offer.

Council thanked Mr. Stoiber for his comments.

**FINANCE AND APPROPRIATIONS COMMITTEE – MR. CHURCH****RESOLUTION NO.: 16-2019**

Mr. Lipan said this year the CUE Consortium went out for bid for salt and nobody bid on it. Cargill was the only response, but they didn't submit a bid on it. We asked for 134 ton of salt and they gave us half of what we requested, and the half was not guaranteed. Their price was over \$79 a ton, which went up \$30-\$40 from the previous year. The next closest bid they obtained was \$105 a ton. This year, I combined the two, as I was authorized to get 250 tons from Cargill. I used that first. There is no contract. This is giving us authority to spend the money. 500 tons is what we were committed to each year.

Mr. Church asked what the reason for the increase was.

Mr. Lipan said there was a bridge going to the mine that was out and they were having problems with the labor unions.

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Mrs. Dunphy clarified we will get half of that from the first vendor and the rest of it at the higher price point.

Mr. Lipan said yes but I'm not going to order more right now. I still have 150 tons in the back. On Wednesday, we have a meeting with CUE to finalize the bid that is going out. The consortium will go out for bid April 1, 2019. Hopefully we will get better results this time.

Mr. Nivens asked if we are obligated to buy this.

Mr. Lipan said no not this. This time we are not obligated to buy anything. I have purchased 150 tons so far.

Mr. Church said this resolution authorized the Mayor to purchase up to \$39,000.

Mr. Lipan said yes, if need be. When we go out for bid, we will try to get two separate buying dates. Right now we buy from January until September. If we get some now, I can use some of this money to restock for next year.

Mr. Church asked if everyone is alright with this.

Members responded yes.

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

**Second Reading:**

ORDINANCE NO.: 14-2019

Mr. Church said this will result in a monthly increase of \$6 - \$7.

Mr. Nivens asked if our justification for this would be explained in the next Residents Review.

Mayor Hovey said it probably would not be able to be done until July.

Mr. Church said I hope those bullet points will be published somewhere.

Mayor Hovey suggested a mailing could be done to all residents. Cost for a mailing would be about \$1,100.

Mr. Nivens said \$1 each is too expensive, as there are companies with bulk permits who can do it. We can put it on the website, get the paper to publish it, and put something on the bill.

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Mr. Dunphy said we could use the Village's Facebook page.

Council agreed with those suggestions.

Mrs. Dunphy asked if Mr. Housley would have to come back in the fall to talk about it again.

Mr. Housley said it will depend upon our sewer revenues collected and sewage treatment costs. Hopefully these will plateau off now that both the Silver Lake Boulevard and Lee Road sewer systems have been replaced.

Mr. Housley also said that we will also have to evaluate the Water Fund because consumption (consumer sales) is down. There is a very good chance water rates will need to be adjusted. Both the Water and Sewer Funds will be evaluated with the Budget in September/October.

Mr. Nichols asked if that discussion will be about what we need to do in 2020.

Mr. Housley said yes.

Mr. Nivens asked if we the Sewer Fund still owe the General Fund. Mr. Housley said the Storm Sewer Fund owes the General Fund, not the Sanitary Sewer Fund.

Mr. Church said this is an emergency increase right now. If asked, the General Fund is a consideration for the future.

Mrs. Dunphy said at the last meeting we had discussions about infiltrations and inflows. We need to look at what inflows are coming into the system that shouldn't be. We should start looking at how to address those.

Mr. Lipan said when we do the flow test that will tell us, that will give us the direction we need to go in.

Mrs. Dunphy said she read the article in the Akron Beacon Journal that explained the new sewer rates. The article didn't address how it is impacting the rest of Summit County, not just Akron.

Mr. Housley said the Beacon's article was copied and placed in front of Council members. Our sewer rates are in line with Akron.

Mr. Nichols said he agreed with Dann, we need to publicize this several different ways, to get the word out.

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

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Mr. Church said **Resolution No.: 16-2019** was discussed in committee and is ready for adoption.

Motion to suspend the rules by Mr. Church, seconded by Mr. Nivens

Roll call:           Yes   7       No    0

Motion to adopt by Mr. Church, seconded by Mr. Nichols

Roll call:           Yes   7       No    0

Mr. Church said **Ordinance No.: 14-2019** was discussed in committee and is ready for adoption.

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

Roll call:           Yes   7       No    0

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

Roll call:           Yes   7       No    0

Mr. Church asked if there were any questions on the **Payment of Claims** dated 3/15/2019. Hearing none, Mr. Church concluded his report.

**PERSONNEL AND PUBLIC AFFAIRS COMMITTEE – MRS. MEYER****RESOLUTION NO.: 17-2019**

Mayor said this is an agreement we've entered into for the last several years, we have no business moving in or out and involves the sharing of income tax revenue if a business relocates from one community to another within Summit County.

Mr. Church asked for clarification on the second full paragraph on Page 5 of the Summit County Intergovernmental Memorandum of Understanding for Job Creation and Retention and Tax Revenue Sharing.

Mayor said if say Business A moves from Akron to Fairlawn, Akron would not lose the entire tax base. Akron would retain a certain percentage for a set number of years.

Mayor Hovey said while it has no bearing on us, it shows our support.

There being no further comments or questions, Mrs. Meyer said this Resolution would be brought out for adoption this evening.

Motion to suspend the rules by Mrs. Meyer, seconded by Mr. Nivens

Roll call:           Yes   7       No    0

Motion to adopt by Mrs. Meyer, seconded by Mr. Nivens

Roll call:           Yes   7       No    0

**REPORTS OF VILLAGE OFFICIALS**

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**Mayor Hovey** reported that Kimble has come up with an excellent mailing to notify residents of the new rates, and they are including a recycling brochure. Kimble has agreed to pay for it.

**Mr. Robert Heydorn, Village Solicitor**, reported he has given Council two legal opinions which explain themselves. The one that is of the most interest to you involves the fact that the 30 day period for the Planning Commission had elapsed and you could extend the time period for which they have to consider their opinion on the zoning ordinance, which you did.

**Chief Jamie Norris** had no report.

**Mr. Mark Lipan, Service Director**, reported the bid opening was today for paving. Seven bids were received. I budgeted \$221,000. The lowest bid was \$225,000.

Mr. Jones asked that a list of streets to be paved be made available to Council at the next meeting.

We are selling two trucks; a one ton for almost \$5,000, and a Dodge truck for over \$1,000. The end of the bids is Wednesday afternoon.

**Mr. Sean Housley, Clerk-Treasurer**, reported I am currently seeking insurance renewals with Wichert Insurance. The current plan expires April 1<sup>st</sup>.

We are reconciled for January and February. We had some compound errors in January which complicated the reconciling process.

**Miscellaneous Business**

Mr. Nichols said we had a meeting of the Planning, Zoning and Insurance Committee, with both Wichert Insurance and Fideli Group. The bottom line is there are a couple different ways to go and we ought to be able to beat where we are today. There were apples and oranges in terms of what they prepared for us, so we asked them to match that up. Mr. Housley has provided copies to us. I'm amending what I want to do moving forward, what I propose to do, no later than early next week (prior to April 1, 2019), we have to have a special Council meeting.

Mr. Jones said if we make a change we will have to pay the old rates until May 1, 2019. Then we don't really have an April 1, 2019 deadline.

Mr. Housley said I don't think that we do. I think the Mayor will have to sign a continuation of their existing policy, and that premium will be in effect, but it does not obligate us to the Medical Mutual benefits proposed for the entire 12 month term. It does give you some extra time as a result of that.

Mayor Hovey asked if the extra month would be at the old rate or the new rate.

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Mr. Housley said the extra month would be at the new rate, which is 12 percent higher. The bill would be in the \$13,000 to \$15,000 range, which is within the Mayor's spending authority and it's in the budget.

Mr. Jones said why can't we jump out April 1, 2019?

Mr. Housley said in the proposals, they said the earliest they could implement everything would be May 1, 2019. My best guess is they need that time administratively, but that's only my guess. I could ask the Fideli Group why.

Mr. Jones said I think you should check with the other agency as well. I don't see why we are stuck with one month to pay for something we are not going to use.

Mr. Plesich said I think we are stuck either way. If we go with Wichert, their policies didn't go into effect until May 1.

Mr. Housley said both proposals shows a May 1, 2019, date, and it was discussed that we are getting away from the "grandmothered" policy we are in to a different type of policy. I can get further clarification on that.

Mr. Jones said that gives us more time.

Mr. Housley said I will verify that and if that's not true I'll let you know, but you don't necessarily have to cram this in before the end of this month.

Mr. Jones said we could discuss it at the next Council meeting, unless you want to have a special meeting.

Mr. Housley said when do you want to have the discussion on the proposals at the next meeting?

Mr. Nichols said let me talk to the people on the Committee, and if they want to have a meeting beforehand, we will. I will let you know.

Mrs. Dunphy asked if we were going to have a special meeting to discuss Council rules.

Mr. Jones said my thought was to have a special meeting, which might take one hour.

Council agreed to have a special meeting on March 25, 2019, at 5:00 p.m.

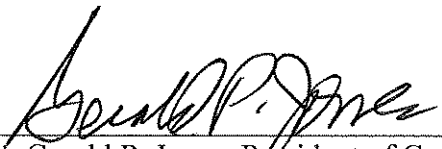
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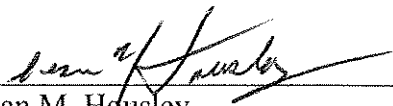
**7:00 p.m.**

There being no further questions or comments, Council adjourned at 7:40 p.m., until the next regular meeting of Council on Monday, April 1, 2019, at 7:00 p.m.

APPROVED:

  
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Mr. Gerald P. Jones, President of Council

ATTEST:

  
\_\_\_\_\_  
Sean M. Housley  
Clerk-Treasurer

prepared by: Darlene Pedicino  
reviewed by: Suzanne Lipan