

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

**Monday, December 16, 2019**

**7:00 p.m.**

The Village of Silver Lake Council met in a regular session on Monday, December 16, 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, and Mr. Matthew Plesich.

Roll call of Council – 6 members present.

Absent – Mrs. Therese Dunphy was excused.

Mr. Jones: Were there any additions or corrections to the minutes of the December 2, Council meeting?

Mr. Housley: I made one correction; a mistype of Mr. was changed to Mrs.

The minutes were approved as corrected.

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

**First Reading:**

**ORDINANCE NO.: 59-2019 AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)***

**ORDINANCE NO.: 60-2019 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE, COUNTY OF SUMMIT, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)***

**ORDINANCE NO.: 61-2019 AN ORDINANCE AMENDING SECTIONS 933.01, and 927.13 (B) OF THE CODE OF THE VILLAGE OF SILVER LAKE, OHIO, TO INCREASE CONSUMER CHARGES IN THE WATER AND SEWER FUND, AND DECLARING AN EMERGENCY. *(Finance & Appropriations)***

**ORDINANCE NO.: 62-2019 AN ORDINANCE AMENDING THE ANNUAL SALARY ORDINANCE OF THE VILLAGE OF SILVER LAKE, OH, HEREBY ESTABLISHING**

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**A NEW SCHEDULE OF PAY GRADES AND RANGES FOR THE GENERAL CLASSIFICATION PLAN FOR EMPLOYEES WHICH INCLUDES RULES FOR THE ADMINISTRATION OF SUCH SCHEDULE, AND DECLARING AN EMERGENCY.**

*(Personnel and Public Affairs)*

**ORDINANCE NO.: 63-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED CONTRACT WITH ROBERT W. HEYDORN AS SOLICITOR OF THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.** *(Personnel and Public Affairs)*

**Second reading:** None

**Third Reading:** None

**Comments from the audience:** None

**FINANCE AND APPROPRIATIONS COMMITTEE – Mr. Church**

ORDINANCE NO.:59-2019

Mr. Church: Mr. Housley, is there anything in this Ordinance that we need to be concerned about?

Mr. Housley: This is our routine year-end appropriation, where we go through and revisit the accounts reducing appropriations where possible. In this legislation, we moved some appropriations around so that Mark could purchase some items previously discussed. I have also increased wages in a few line items to avoid a special meeting.

Mr. Church brought the legislation out for adoption.

Roll call to suspend the rules:	Yes	6	No	0
Roll call to adopt the legislation:	Yes	6	No	0

**FINANCE AND APPROPRIATIONS COMMITTEE – Mr. Church**

ORDINANCE NO.:60-2019

Mr. Church: This has been amended and I will call on the Clerk to discuss the amendments.

Mr. Housley: Changes were made based on the last budget meeting. Additionally, a few changes were made that were not discussed. Income tax collection were increased by \$10,000 based on our final December collection amount and so were the related collection fees. Investment income was increased by \$10,000 and so were the related transfers/gifting of this income to other funds. What

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you are seeing is a \$10,300 change in appropriations which I will describe in detail when the time comes to amend it.

Mr. Church: On page 9 of that Ordinance, you are referring to the 10% of water consumer charges and 10% of the sewer consumer charges?

Mr. Housley: Correct. These are the monies that are earmarked to go into the capital improvement funds.

Mr. Church: In section 9, the last sentence, is that pretty much standard verbiage?

Mr. Housley: We don't appropriate for contingencies. Starting at the word provided, the whole last sentence could be struck out.

Mr. Church: Council would you agree?

Mr. Heydorn: They are reciting the Ohio Revised Code. Is it standard language? Yes, but, if in fact, Mr. Housley is saying that we don't budget for contingencies, the fact that it is there does not harm anybody.

Mr. Nivens: How did it get into this Ordinance?

Mr. Heydorn: My guess is, years ago it was put in because it was the template that the Clerk at the time used.

Mr. Housley: I can explain that. Metro SWAT used to have contingencies, this could be why.

Mr. Heydorn: You can do what you wish with it.

Mr. Housley: These words have always been like this. I'm in favor of striking out that sentence since it's already being amended. This way, it will all be correct next year, if Council agrees. I will summarize the amendments when the time comes and I will strike that sentence out.

Mr. Church brought the legislation out for adoption.

Roll call to suspend the rules:            Yes    6            No    0

Mr. Church requested a motion to accept the amendment that Mr. Housley is about to describe:

Mr. Housley: Ordinance 60-2019 should be amended as follows. Page four under Other General Government, RITA collection fees are increasing from \$25,050 to \$25,350. Transfers-out in the General Fund are increasing from \$51,000 to \$61,000. Page five, on the top of the page, total Other General Government is increasing from \$135,777 to \$146,077. The total General Government is

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increasing from \$480,720 to \$491,020. Total General Fund appropriations are increasing from \$2,325,390 to \$2,335,690. On page 9 of 10, total appropriations - all funds, is increasing from \$4,075,367 to \$4,085,667. On page 10 of 10, Section 9, we are removing the last sentence in its entirety. It currently reads, "Provide further that the appropriations for contingencies can only be expended upon appeal of two-thirds vote of Council for items of expense constituting a legal obligation against the Village, and for purposes other than those covered by other specific appropriations herein made".

Roll call to accept the amendment as described: Yes 6 No 0

Roll call to adopt the legislation: Yes 6 No 0

**FINANCE AND APPROPRIATIONS COMMITTEE – Mr. Church**

ORDINANCE NO.:61-2019

Mr. Church: I think we determined that this is an emergency, right?

Mr. Housley: Yes.

Mr. Church: Metered water service, minimum fixed charge per month is \$14.94, plus a rate per 100 cubic square feet of \$4.38?

Mr. Housley: Correct.

Mr. Church: That has not changed?

Mr. Housley: No. Not since our discussions.

Mr. Church: For sewer charges, most residents with one benefit will be charged \$33.98. Silver Lake School, Church in Silver Lake, and Silver Lake Florist will have more benefits to pay. That also has not changed, correct?

Mr. Housley: Correct. I wanted to mention that I put a handout in front of you all that shows a comparison of our current rate based on Ordinance 14-2019 which was the last one passed. The fee per resident, based on 5 units used, which is the average household usage, will be going up 9.67%. This is collectively, an approximate change of \$9.40 per month, per household.

Mr. Jones: We are not bringing this out tonight, right?

Mr. Housley: No.

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Mr. Nivens: Are we going to go through social media to discuss how and why this needs to be done?

Mr. Plesich: We will have 3 readings on it where it will be discussed, so if residents want to, they can come to the meetings and address it. That is what we have these meetings for.

Mr. Heydorn: In regards to the phraseology we were discussing previously, provides should be provided and appeal should be approval.

Mr. Housley: I have not changed those words ever.

Mr. Heydorn: They were originally a typo.

Mr. Housley: I am in favor of striking out that whole sentence, as long as I am amending the rest so that it will be correct for next year.

Mr. Heydorn: If you are going to do a second reading then it can be done then.

Mr. Housley: There is not going to be a second reading on the appropriation measure. They are going to do it tonight. I will summarize the amendments when the times comes and I will strike that sentence out.

The payment of claims for December 12<sup>th</sup> was discussed and accepted as distributed.

**PERSONNEL AND PUBLIC AFFAIRS– Mrs. Meyer**

ORDINANCE NO.:62-2019

Mr. Heydorn: I just want to clarify that all of the changes were incorporated?

Mr. Housley: Yes.

Mrs. Meyer brought the legislation out for adoption.

Roll call to suspend the rules:	Yes	6	No	0
Roll call to adopt the legislation:	Yes	6	No	0

**PERSONNEL AND PUBLIC AFFAIRS– Mrs. Meyer**

ORDINANCE NO.:63-2019

Mrs. Meyer brought the legislation out for adoption.

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REPORTS OF VILLAGE OFFICIALS

**Mayor Hovey:** As far as the natural gas conversation goes, the communities that we are in a group with (Munroe Falls, Mogadore, and Stow) have all agreed to a 4-year term which we expect to be under \$3. That price should be decided pretty soon. Also, we made contact with First Energy. First of all, the contact there is not a person named Robin, that person retired 8 years ago. Our contact is Kurt Gardener. We have not had a contract with First Energy for our street lights since 2008, they no longer do that. They are working with Ohio Edison on a contract which will enable them to replace all of the existing mercury vapor lights with LED lights. We could do it ourselves, but it would cost \$230 a light. However, we can wait for the contract to be finalized and First Energy will replace them at no cost to us. I do not have a timeframe for when that will be done. It seems like it will be done over the next couple years. Our contact also said that he would be very willing to come in and talk to Council to answer any questions you may have.

Mr. Jones: Any comments? Do we want someone to come in?

Mr. Nivens: I think it is awesome that he got an answer.

**Mr. Robert Heydorn, Village Solicitor:** The planning commission agreed with the opinion I wrote.

**Chief Jamie Norris:** We had Shop with a Cop on Saturday. There was a great turn-out, we had 13 kids of our own. We shopped at Target in Stow, not the Walmart. I appreciate everyone's support through that, and I will get back to you on the drawing.

**Mr. Mark Lipan, Service Director:** Leaf season is over. We passed out 7 notices to residents that put out leaves afterwards, which was the lowest that it has been in 21 years. Most of those 7 have already cleaned up their leaves. We had 240 trailer's worth of leaves, which is 4,800 cubic yards. We had 37 truckloads of wood chips, which is about 3,700 cubic yards. We replaced a hydrant and the valves on Kent Road. It took 54 hours of overtime because we had to do it all on the same day. There was a truck holding the pole and it would have cost us more if we would have kept the truck there longer. We ended up with a leaky valve in the process, so there is another valve we have to change.

**Mr. Sean Housley, Clerk-Treasurer:** Last year during December I had RITA come out here and we started an income tax subpoena program. We had subpoenaed people who were delinquent on their filing in December to Village Hall. This year that has been postponed until the middle of January; I will give you the date at the next meeting. The four-week delay is part of the reason we did not meet our income tax collections budget, I think we missed it by about \$10,000.

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Mr. Jones: How many responses did you get from the letters?

Mr. Housley: They don't respond to me, so I do not have an answer yet. I get that from RITA after the program is finalized. I should have it in the middle of February next year.

Mr. Jones: How many letters were sent out?

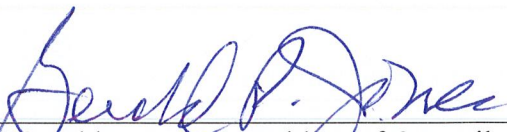
Mr. Housley: Somewhere between 200-300, which is about 1/3<sup>rd</sup> of what it was a number of years ago. Also, due to today's meeting being on December 16<sup>th</sup>, there are a lot of business days left in the year. There is a chance that if there is a snowstorm or too many valves break, overtime could be more than we appropriated for, in that case we would need to have a special meeting.

Mayor Hovey: Since this is our last meeting of the year, I wanted you to know that I deeply appreciate the time, effort, energy and thought that Council members put into all of our deliberations. We have our disagreements, but we all have the same goal which is doing what is best for the Village of Silver Lake. I appreciate everything you do. I wanted to wish you a Merry Christmas and a Happy New Year.

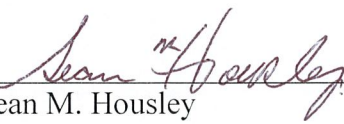
Mr. Jones: I also want to wish you all a Merry Christmas and a Happy New Year.

There being no further questions or comments, Council adjourned at 7:39 p.m., until the next regular meeting of Council on Monday, January 6, 2020, at 7:00 p.m.

APPROVED:

  
Mr. Gerald P. Jones, President of Council

ATTEST:

  
Sean M. Housley  
Clerk-Treasurer

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