

**RECORD OF PROCEEDINGS**  
Minutes of the Silverton City Council Meeting  
Held Thursday, December 15<sup>th</sup>, 2005

The Council of the City of Silverton met for a business meeting in Council Chambers at 6860 Plainfield Road at 7pm on Thursday, December 15<sup>th</sup>, 2005. Mayor John Smith called the meeting to order.

**OPENING REMARKS:**

Father Tom Espelage from St. John the Evangelist in Deer Park led the prayer and Mayor Smith led the Pledge of Allegiance.

**ROLL CALL:**

**ELECTED OFFICIALS:**

**ALSO PRESENT:**

John Smith	Mayor	Present	Mark Wendling	City Manager
Joyce Glover	Council	Present	Bryan Pacheco	City Solicitor
Shirley Hackett	Council	Present	Meredith George	Clerk of Council
Mike Morthorst	Council	Present		
Mark Quarry	Council	Present		
Frank Sylvester	Council	Present		
Idella Thompson	Council	Present		

**REVIEW MEETING AGENDA:**

Councilman Quarry asked Mayor Smith to add a presentation for Jim Siegel under Mayor's Comments and Guests. Mayor Smith agreed.

**OATH OF OFFICE FOR PUBLIC OFFICIALS:**

1. City Solicitor Bryan Pacheco administered the Mayoral Oath of Office to John Smith.
2. Mr. Pacheco administered the Oath of Office to all the newly elected council members: Joyce Glover, Shirley Hackett, Mike Morthorst, Mark Quarry, Frank Sylvester and Idella Thompson.
3. Mr. Pacheco administered the Vice-Mayoral Oath of Office to newly installed Councilwoman Shirley Hackett.
4. Mr. Pacheco administered the Oath of Office to all the newly appointed and reappointed city officials: Mark Wendling - City Manager and Meredith George – Clerk of Council.

**RECESS**

A short recess was taken for a reception for all the newly installed city officials.

**REVIEW MEETING AGENDA:**

No changes were needed.

**APPROVAL OF MINUTES FROM PRIOR MEETINGS:**

Mayor Smith presented minutes from the following meetings for approval: November 17, 2005 Business Meeting and the December 1, 2005 Workshop Meeting. Councilwoman Thompson motioned for approval with any necessary corrections and was seconded by Councilman Sylvester. All voted aye. Motion carried.

**MAYOR'S COMMENTS AND GUESTS:**

1. Mayor Smith thanked all the guests who attended the installation ceremony.
2. Mayor Smith noted that there were several board and commission vacancies that needed to be filled. Mayor Smith and Council felt they needed more time before any recommendations were made. Councilwoman Thompson suggested that the item be put on the agenda for the next workshop and Council was in agreement. Councilwoman Hackett noted that Willa Garner was interested in being re-appointed to her position on the Fire Board and she had a copy of her resume to share with council.
3. Mayor Smith gave the floor to Councilman Morthorst and Councilman Quarry who presented a plaque to Jim Siegel on behalf of the Silverton Republican Club thanking him for all his years of dedicated service and hard work.

**OLD BUSINESS AND GENERAL COMMENTS:**

None.

**NEW BUSINESS AND COMMITTEE REPORTS:**

1. City Manager's Report
  - 1.1. Budget Report  
Mr. Wendling gave the November 2005 Budget Report. Councilman Quarry motioned to accept the report and was seconded by Councilwoman Hackett. All voted aye. Motion carried.
  - 1.2. Mayors' Court Report  
Ms. George gave the November 2005 Mayor's Court Report. Councilwoman Thompson motioned for approval of the reports and was seconded by Councilwoman Glover. All voted aye. Motion carried.
  - 1.3. Status of Improvement Projects
    - 1.1.1. Mr. Wendling reported that Adleta Construction would soon be closing down the Sampson Lane until the spring. Weather conditions, along with the pending gas main replacement, have put the project on hold until the spring of 2006. Councilman Sylvester noted that some of the base cutouts on Montgomery Road are rough. Mr. Wendling noted that he was aware of the rough spots and the dips in some of the portions of the project. The problem areas have been discussed with City Engineer Dave Emerick and he has explained to Adleta that there are areas that are unsatisfactory. Councilman Quarry reiterated that there was a large dip at Sampson and Montgomery.
    - 1.1.2. Mr. Wendling reported that he attended the Integrating Committee meeting with Mayor Smith, Councilwoman Glover and Councilwoman Hackett on December 9, 2005 and was pleased to report that we were awarded a 0%, 20-year loan for the Plainfield Road Improvement Project. Mr. Wendling noted that the funding would not be available until July 2006; therefore the contract cannot be awarded until the funding is available.
  - 1.4. Leaf Collection  
Mr. Wendling informed council that labor cost for leaf collection in 2005 was approximately \$8000.00.

#### 1.5. Vehicle Acquisition General Obligation Bond

Mr. Wendling introduced Ian Koffler from Peck, Shaffer & Williams who presented the details for the general obligation bond for the new dump truck the city purchased for the service department. The city will be financing \$74,002.00 over a period of 5 years at 5.12% interest with Fifth Third Bank. Mr. Koffler asked if there were any questions regarding the bond. There were none.

#### **OPEN DISCUSSION / NEW ISSUES BY ELECTED OFFICIALS:**

1. Councilwoman Glover asked if there was anything the city could do regarding the new traffic flow at the post office. Councilwoman Glover noted the traffic problems and safety issues the new traffic flow has created. Councilwoman Hackett and Councilwoman Thompson also voiced the same concerns. Mr. Wendling stated he is going to try to set up a meeting with the branch manager to see if an alternative solution can be determined. Mr. Wendling asked Mr. Pacheco to look in to how much control the city has of the right of way. Mr. Pacheco said he felt that the post office has created the traffic problem on Montgomery Road; therefore the city has some jurisdiction to correct the problem. Councilman Quarry reiterated the concerns of the other council members.
2. Councilman Quarry asked Mr. Wendling to bring council up to date regarding the work MSD was doing on Silverton Avenue. Mr. Wendling reported that there was a collapsed sewer line and MSD had spray painted some areas on Silverton Avenue. MSD informed Mr. Wendling that if they had to cut the street the city would be informed before any work was done; however the problem was repaired from the manhole.
3. Councilman Quarry stated for the television audience that in the last workshop Mr. Wendling informed council that the city had been approved for the CDBG for the streetscape project in the amount of \$150,000. This is an exciting project for the city and will drastically improve the downtown. Mr. Wendling noted that the total cost of the project is approximately \$850,000. The City will seek funding additional funding sources.
4. Councilman Sylvester noted that the cut outs on Montgomery Road have not been sealed. Mr. Wendling stated that the contractor had sealed many of the cut outs the day before.
5. Councilwoman Thompson asked if there had been any further development with the bus shelters. Mr. Wendling reported that he had observed shelters in other communities and noted that they were heavily vandalized with graffiti. Councilwoman Hackett stated that she has seen some nice shelters in Woodlawn and they contained no advertising. Mr. Wendling said they are purchased by the city and he believes that while they are aesthetically pleasing they are costly. Councilwoman Thompson asked Mr. Wendling price the nicer bus shelters.

#### **INTRODUCTION OF NEW LEGISLATION:**

Mr. Wendling introduced Ordinance 05-3203 An Ordinance Amending the Annual Appropriation Ordinance No. 05-3190 Providing for Funds for Current Expenditures for the Year Ending December 31, 2005 and Declaring an Emergency.

Mr. Wendling introduced Ordinance 05-3204 An Ordinance Making Interim Appropriations for the Expenses of the City of Silverton, Ohio for the First Quarter of Fiscal Year 2006 and Declaring an Emergency.

Mr. Wendling introduced Ordinance 05-3205 An Ordinance Adopting the Recommendations of the Silverton Planning Commission and Thereby Amending Chapter 153 of the Municipal Code of Ordinances to Read as Follows in Exhibit A and Declaring an Emergency.

Mr. Wendling introduced 05-3206 An Ordinance Providing for the Issuance of \$82,271.90 of Vehicle Acquisition General Obligation Bonds by the City of Silverton, Ohio and Declaring an Emergency.

Mr. Wendling introduced 05-475 A Resolution Requesting the County Auditor to Make Tax Advances During the Year 2006 Pursuant to Ohio Revised Code, Section 321.34.

Mr. Wendling introduced 05-476 A Resolution Ratifying Employment Contract for City Manager, Providing for Compensation and Benefits of Said City Manager.

Mr. Wendling introduced 05-477 A Resolution for the Compensation of the Position of City Solicitor of the City of Silverton.

#### **PUBLIC COMMENTS REGARDING NEW BUSINESS:**

*Mary Wright – 6700 Stoll Lane*

Mary Wright addressed council to let them know how great the new streets look and to let everyone in Silverton know what a great job everyone did in 2005.

*Mary Sylvester – 6316 Elwynne Drive*

Mary Sylvester addressed council regarding the appearance of the downtown and the Christmas decorations. Mrs. Sylvester expressed an interest in improving the appearance of the streetscape with wreaths as seen in other local communities such as Blue Ash and Montgomery. Mr. Wendling stated that with the CDBG funding we would have a much-improved streetscape, including Christmas decorations in the upcoming years. Councilwoman Hackett also noted that the "Spruce Up Silverton" certificates had not been handed out in 2005 and she felt the program should be revived to let the residents know we are grateful for their hard work in keeping their properties maintained. Councilwoman Thompson agreed and suggested we put these items on for a future workshop meeting.

#### **READING OF PENDING LEGISLATION:**

Ms. George gave the reading of Ordinance 05-3203 An Ordinance Amending the Annual Appropriation Ordinance No. 05-3190 Providing for Funds for Current Expenditures for the Year Ending December 31, 2005 and Declaring an Emergency. Councilwoman Thompson moved for adoption and was seconded by Councilwoman Hackett. A roll call vote was taken. All voted aye. Motion carried. Councilman Quarry motioned to suspend the rules and was seconded by Councilman Morthorst. A roll call vote was taken. All voted aye. Motion carried.

Ms. George gave the reading of Ordinance 05-3204 An Ordinance Making Interim Appropriations for the Expenses of the City of Silverton, Ohio for the First Quarter of Fiscal Year 2006 and Declaring an Emergency. Councilman Quarry moved for adoption and was seconded by Councilman Morthorst. A roll call vote was taken. All voted aye.

Motion carried. Councilman Morthorst motioned to suspend the rules and was seconded by Councilwoman Glover. A roll call vote was taken. All voted aye. Motion carried.

Ms. George gave the reading of Ordinance 05-3205 An Ordinance Adopting the Recommendations of the Silverton Planning Commission and Thereby Amending Chapter 153 of the Municipal Code of Ordinances to Read as Follows in Exhibit A and Declaring an Emergency. Councilwoman Thompson moved for adoption and was seconded by Councilwoman Hackett. A roll call vote was taken. All voted aye. Motion carried. Councilman Morthorst motioned to suspend the rules and was seconded by Councilwoman Thompson. A roll call vote was taken. All voted aye. Motion carried.

Ms. George gave the reading of Mr. Wendling introduced 05-3206 An Ordinance Providing for the Issuance of \$82,271.90 of Vehicle Acquisition General Obligation Bonds by the City of Silverton, Ohio and Declaring an Emergency. Councilman Quarry moved for adoption and was seconded by Councilman Sylvester. A roll call vote was taken. All voted aye. Motion carried. Councilman Morthorst motioned to suspend the rules and was seconded by Councilwoman Glover. A roll call vote was taken. All voted aye. Motion carried.

Ms. George gave the reading of Resolution 05-475 A Resolution Requesting the County Auditor to Make Tax Advances During the Year 2006 Pursuant to Ohio Revised Code, Section 321.34. Councilwoman Thompson moved for passage and was seconded by Councilwoman Glover. A roll call vote was taken. All voted aye. Motion carried.

Ms. George gave the reading of 05-476 A Resolution Ratifying Employment Contract for City Manager, Providing for Compensation and Benefits of Said City Manager. Councilman Quarry moved for passage and was seconded by Councilwoman Glover. A roll call vote was taken. All voted aye. Motion carried.

Ms. George gave the reading of 05-477 A Resolution for the Compensation of the Position of City Solicitor of the City of Silverton. Councilman Quarry moved for passage and was seconded by Councilman Sylvester. A roll call vote was taken. All voted aye. Motion carried.

**MOTION TO ADJOURN TO EXECUTIVE SESSION:**

Councilwoman Thompson motioned to adjourn to executive session and was seconded by Councilwoman Glover. A roll call vote was taken. All voted aye. Motion carried.

Councilman Morthorst motioned to adjourn executive session and was seconded by Councilwoman Hackett. All voted aye. Motion carried.

**MOTION TO RECONVENE MEETING:**

Councilman Quarry motioned to reconvene the meeting and was seconded by Councilwoman Glover. All voted aye. Motion carried.

**MOTION TO ADJOURN MEETING:**

Motion to adjourn was made by Councilwoman Thompson and seconded by Councilwoman Glover. All present were in favor. Motion carried.

Meeting adjourned.

Respectfully submitted,

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Meredith L. George  
Clerk of Council

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John A. Smith  
Mayor

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Mark T. Wendling  
City Manager