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**RECORD OF PROCEEDINGS**

Minutes of the Silverton City Council Meeting

Held Thursday, April 21, 2011

The Council of the City of Silverton met for a business meeting in Council Chambers at 6860 Plainfield Road at 7:00 pm on Thursday, April 21, 2011. Mayor John Smith called the meeting to order.

**OPENING REMARKS:**

Mayor Smith led a moment of silent prayer, followed by the Pledge of Allegiance.

**ROLL CALL:**

**Elected Officials:**

* John Smith, Mayor Present
* Willa Garner, Council Present
* Shirley Hackett, Council Present
* Mark Quarry, Council Present
* Frank Sylvester, Council Present
* Idella Thompson, Council Present
* Dottie Williams, Council Present

**Also present:**

* Mark Wendling, City Manager
* Bryan Pacheco, City Solicitor
* Meredith George, Clerk of Council
* Tom Peterson, Finance Director

**APPROVAL OF MINUTES FROM PRIOR MEETINGS:**

Mayor Smith presented the minutes from the March 17, 2011 Council Meeting and the April 7, 2011 Workshop. Mrs. Garner motioned for approval of the minutes with any necessary corrections and was seconded by Mrs. Williams. Motion carried by a unanimous voice vote.

**MAYOR’S COMMENTS AND GUESTS:**

1. Mayor Smith reported that Silverton recently re-named a “Tree City USA,”

as well as received its third growth award. A special thanks to the Urban Forestry Board for all their hard work and dedication. Mrs. Thompson won a tree at the ceremony and graciously donated to the City for its 2011 Arbor Day tree. It will be planted outside the police station on April 26 as part of the annual Arbor Day celebration.

1. Mayor Smith administered the Oath of Office to the City’s new police recruit – PO Tony Nichting. Council welcomed the Officer Nichting to Silverton. Congratulations Tony!
2. Mayor Smith presented Mr. Wendling with a plaque thanking him for his years of dedication to Silverton and wishing him well in his new position with the City of Fairfield.

**PUBLIC COMMENT:**

None.

**OLD BUSINESS AND GENERAL COMMENTS:**

None.

**NEW BUSINESS AND COMMITTEE REPORTS:**

1. City Manager’s Report
   1. *Surplus Property*

Mr. Wendling reported the 2005 police vehicle has been taken out of service and needs to be declared surplus so that it can be placed on the County’s auction website. Mr. Quarry motioned to declare the vehicle surplus. Mrs. Thompson seconded the motion. Motion carried by a unanimous voice vote. Chief Plummer reported the new Ford Crown Victoria cruiser should be delivered any day now.

* 1. *Waste Collection Contract Extension*

Mr. Wendling stated there is a resolution on the agenda tonight approving a contract extension with Rumpke for waste collection services. The City would still have the opportunity to participate in the CLG consortium in 2012. The extension is a good price and Mr. Wendling’s recommendation is to accept it.

* 1. *Silverton Paideia Update*

Mr. Wendling reported the groundbreaking for the new school is scheduled for Friday, May 20 at 10:00 a.m. The project is out to bid. The bids are due back mid-May. Mrs. Thompson reported light refreshments will follow the ground breaking ceremony.

* 1. *Stewart Road Repairs*

Mr. Wendling reported the City has a contract with Mt. Pleasant construction for the repairs needed on Stewart Road, underneath the overpass. The work will commence the first week of May, and should take less than a week to complete. The total for the project is $9500.

* 1. *New Merchants*

Mr. Wendling reported two new merchants recently opened their doors in Silverton: The Silverton Donut Shop and Dee’s Beauty Supplies. Welcome to Silverton!

* 1. *2010 Census Results*

Mr. Wendling reported the City will be reclassified as a village as a result of the 2010 Census results. Silverton’s population dropped to below 5000 residents. The change will be effective April 29, 2011. Council met to discuss challenging the results, but there is not much of a benefit to being a city versus a village. The village status will make Silverton eligible for the small government fund, eliminates collective bargaining, and makes the state responsible for maintaining Montgomery Road.

Mr. Pacheco read the Secretary of State Proclamation into the record. Silverton’s population is now 4788. A discussion regarding challenging the results took place. Silverton will have until June of 2013 to file a federal challenge. Because Silverton is a charter municipality the changes will be minimal.

* 1. *Miscellaneous*

Mr. Sylvester suggested milling down Diehl Avenue and just leaving it until it can be fixed properly. Mr. Wendling stated he will discuss the idea with Mr. Casto.

Mr. Wendling introduced Mr. Ryan Nelson of Baird Public Investment Advisors. Mr. Nelson thanked Council for selecting Baird and is looking forward to working with the City.

Mr. Sylvester reported there is a parking issue on Elwynne that is on-going. Mr. Wendling asked Mr. Pacheco to research the issue to see if there is anything that can be done to better regulate the problem.

Mr. Quarry stated the Council Chamber renovation was a success and reiterated that the renovation was paid for through special funds, not tax dollars.

1. Clerk of Court Report

Mrs. George gave the March 2011 Mayor’s Court report. Mr. Sylvester motioned to approve the report and was seconded by Mrs. Thompson. All members present voted aye. Motion carried.

1. Budget Report

Mr. Peterson gave the March 2011 Budget Report. Mrs. Thompson motioned to approve the report and was seconded by Mrs. Garner. Motion carried by a unanimous voice vote.

1. Committee Reports

Mrs. Williams reported there will be a party for retired Deputy Chief Terry Ott on May 7 at the Fire House. RSVP by May 3 to Belinda Joerger.

Mr. Quarry reported Hamilton County is sponsoring a “Shred Day” on Saturday, April 30, 2011.

Mr. Quarry reported the National Day of Prayer is Thursday, May 5, 2011. More details are available at [www.nationaldayofprayer.org](http://www.nationaldayofprayer.org).

Mr. Quarry wished everyone a Happy Easter or Happy Passover.

Mrs. Thompson reported there will be a Student of the Month recognized at the May Council meeting.

**INTRODUCTION AND READING OF NEW LEGISLATION:**

Mrs. George gave the reading of Ordinance 11-3337, An Ordinance to Levy Special Assessments on Property for the Total Cost of Mitigating Nuisances Located at 3926, 3931, 3935 East Gatewood Lane Pursuant to Sections 91.51(A) and 91.73 of the Municipal Code of Ordinances and Declaring An Emergency. Mr. Sylvester motioned for passage. Mr. Quarry seconded the motion. A roll call vote was taken. All members present voted aye. Motion carried. Mr. Sylvester motioned to suspend the rules. Mrs. Garner seconded the motion. All members present voted aye. Motion carried.

Mrs. George gave the first reading of 11-3338 An Ordinance Submitting An Amendment Revising Articles III and IV of the Charter of the City of Silverton.

Mrs. George gave the reading of Resolution 11-599 A Resolution Authorizing the City Manager to Extend the Contract with Rumpke of Ohio, Inc. for Solid Waste Collection Services for the Period of May 15, 2011 to May 14, 2012. Mr. Sylvester motioned for passage and was seconded by Mrs. Williams. All members present voted aye. Motion carried.

Mrs. George gave the reading of Resolution 11-600 A Resolution Authorizing a Professional Services Agreement with Plattenburg and Associates, Inc to Perform the Audits of the City of Silverton for Fiscal Years beginning January 1, 2009 through December 31, 2012. Mrs. Garner motioned for passage and was seconded by Mrs. Williams. A roll call vote was taken. All members present voted aye. Motion carried.

Mrs. George gave the reading of Resolution 11-601A Resolution Designating U.S. Bank as a Depository for Public Funds for the City of Silverton as Defined in Chapter 135 of the Ohio Revised Code. Mrs. Williams motioned for passage and was seconded by Mr. Quarry. A roll call vote was taken. All members present voted aye. Motion carried.

Mrs. George gave the reading of Resolution 11-602 A Resolution Ratifying Employment Contract for Interim City Manager, Providing for Compensation and Benefits of the Interim City Manager. Mr. Quarry motioned for passage and was seconded by Mrs. Williams. A roll call vote was taken. All members present voted aye. Motion carried.

Mrs. George gave the reading of Resolution 11-603 A Designated Baird Public Investment Advisors as the Investment Advisory Firm for Public Funds as Defined in Section 135 of the Ohio Revised Code for the City of Silverton. Mrs. Garner motioned for passage and was seconded by Mr. Sylvester. A roll call vote was taken. All members present voted aye. Motion carried.

**MOTION TO RETIRE TO EXECUTIVE SESSION:**

Mrs. Thompson motioned to retire to Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee and pending or imminent legislation per and to consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal private interest is adverse to the general public interest ORC 121.22(G). Mr. Quarry seconded the motion. A roll call vote was taken. All members present voted aye. Motion carried.

**MOTION TO RECONVENE THE REGULAR MEETING:**

Mr. Quarry motioned to reconvene the regular meeting and was seconded by Mr. Sylvester. All members present voted aye. Motion carried.

**MOTION TO ADJOURN MEETING:**

Motion to adjourn was made by Mrs. Thompson and seconded by Mr. Quarry. All present voted in favor. Motion carried.

The meeting adjourned at 9:23 p.m.

Respectfully submitted,

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Meredith L. George

Clerk of Council

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John A. Smith

Mayor