

**CITY OF SILVER LAKE COUNCIL MEETING**

**CITY HALL**

**June 3, 2024**

**5:30 P.M.**

**ORDER OF BUSINESS MEETING**

**Pledge of Allegiance**

**Public Comments**

**Minutes**

**Financial Report**

**Appropriation Ordinance**

**Business Items:**

1. **Amendment of C-2 Exemptions Ordinance**
2. **Assistant Clerk Salary Ordinance**
3. **2024 Fireworks Resolution**
4. **Verizon Tower Rent Update**
5. **Temporary Street Closure Request**
6. **Review of Water Leak Billing Policy**
7. **Monthly Public Works Report**
8. **Monthly Police Report**

**\*\*\*\*PLEASE NOTE: This agenda is subject to additions or changes as may be necessary.**

**DRAFT**  
**City of Silver Lake Regular Session Minutes**  
**Monday, May 20, 2024**

The Governing Body of the City of Silver Lake met in regular session at City Hall on May 20, 2024, at 5:30 PM with Mayor Jonah Bishop conducting the meeting and the following Councilmembers present: Brad Byant, Jake Fisher, Michael Hamilton, Larry Ross, and Kenneth Wade (5). Also present was City Attorney Todd Luckman, Police Officer Doug Ashcraft and Interim City Clerk Marie Beam.

During public comment Mayor Bishop spoke for Local Business, Stock Grower State Bank, in regards to a water leak. The Bank requested the City of Silver Lake review the policy on charging for the sewer portion of a bill in the event of a broken water line. Attorney Luckman was directed to bring an example of a policy to the next meeting for Council to review.

A motion was made by Councilmember Bryant to approve the minutes of the May 6, 2024 meeting as written. The motion was seconded by Councilmember Hamilton and carried.

Claim vouchers in the amount of \$17,712.14 were submitted to Council for appropriation. A motion was made by Councilmember Fisher and seconded by Councilmember Wade that said Appropriation Ordinance be accepted as read and passed by a roll call vote of: AYE: Brad Bryant, Jake Fisher, Michael Hamilton, Larry Ross, and Kenneth Wade. (5) NAY: (0). The Ordinance was declared passed and was given No. 2604.

Councilmember Wade made a motion to amend the agenda to move the Stormwater Drainage Improvement Discussion to the first business item as well as adding Appointment of the City Clerk as the second business item. The motion was seconded by Councilmember Hamilton and passed.

Brian Foster with BG Consultants presented an agreement for a Storm Water Study that would include current Topography, recommendations to correct drainage and an estimate of the cost of said recommendations. The cost of the proposed Storm Water Study would be \$19,000. Council took no action.

Mayor Bishop recommended Interim City Clerk Marie Beam be appointed as City Clerk. Councilmember Wade made the motion for the appointment. The motion was seconded by Councilmember Ross and passed with all ayes.

Mayor Bishop requested that a councilmember along with Clerk Beam and Attorney Luckman research Verizon's request to continue with an easement regarding the water tower as well as offers from other telecom companies. Councilmember Wade volunteered for the position, and will report back at the next Council meeting.

A temporary street closure request for Madore Street next to the Silver Lake Library was presented for the annual Farmer's Market. The Farmer's Market will be held every Tuesday from June 4<sup>th</sup> thru August 27<sup>th</sup> from 5:30 to 8:30 PM. Councilmember Ross made the motion to approve the request, which was seconded by Councilmember Bryant and passed with all ayes.

An additional temporary street closure request for the 100 block of Madore Street was presented. Blacksmith Event Centre requested the closure for June 30<sup>th</sup> from 5 to 9 PM for the Trails for Tayan Fundraiser. The motion was made by Councilmember Ross, seconded by Councilmember Fisher and was approved. A Temporary Extension of Premise was presented for the same event. A motion to accept the resolution approving the extension was made by Councilmember Ross, seconded by Councilmember Hamilton and passed.

Councilmember Ross made a motion to approve the Public Works spending request to purchase asphalt millings for alleys and walkways, not to exceed \$4500 to be paid from the Special Highway Fund. The motion was seconded by Councilmember Wade and passed.

Officer Ashcraft informed Council that he will be having the air conditioner repaired in a police vehicle.

Councilmember Ross made a motion to award Police Chief McCune his Silver Lake Police Badge upon his retirement. The motion was seconded by Councilmember Hamilton and passed with all ayes.

Councilmember Hamilton made a motion that the City Council (along with Mayor Bishop, City Attorney Luckman and City Clerk Beam) recess into executive session, for 10 minutes, to discuss a non-elected personnel matter pursuant to the nonelected personnel exemption, K.S.A. 75-4319(b)(1). The open meeting will resume at City Hall at 6:09 PM. The motion was seconded by Councilmember Fisher and carried.

The public meeting reconvened at 6:09 PM.

Councilmember Fisher made a motion that the City Council (along with Mayor Bishop, City Attorney Luckman and City Clerk Beam) recess into executive session, for an additional 10 minutes, to discuss a non-elected personnel matter pursuant to the nonelected personnel exemption, K.S.A. 75-4319(b)(1). The open meeting will resume at City Hall at 6:20 PM. The motion was seconded by Councilmember Hamilton and carried.

The public meeting reconvened at 6:20 PM.

With no further business to come before Council, Councilmember Fisher made a motion to adjourn the meeting at 6:23 PM. Councilmember Bryant seconded the motion, and with no further discussion, the meeting was adjourned.

Marie Beam, City Clerk

City of Silver Lake  
Record of Ordinance #2605  
June 3, 2024

An Ordinance making appropriation for the payment of certain claims. Be it ordained by the Governing Body of the City of Silver Lake, Kansas. That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the City Treasury the sum required for each claim.

**General Operating**

**General Fund**

EFT	GEN	Kansas Gas Service	Gas Service	-114.64
EFT	GEN	Card Service Center	Community Center supplies	-131.03
EFT	GEN	Card Service Center	LS Fuel	-52.79
EFT	GEN	Card Service Center	Payroll Fee	-96.00
EFT	GEN	Card Service Center	General Supplies LS	-446.19
EFT	GEN	Card Service Center	Rekey of City Hall LS	-173.33
8817	GEN	Jayhawk Software	Backup and repair of City Hall Server	-841.24
8816	GEN	Stumbo Hanson LLP	Legal Services	-3,947.80
			<b>Total General Fund</b>	<b>-5,803.02</b>

**Law Enforcement**

EFT	LAW	Casey's Business Mastercard	Fuel	-116.75
8820	LAW	Moore Tire Center	AC Repair	-81.90
EFT	LAW	Kansas Gas Service	Gas Service	-112.30
EFT	LAW	Card Service Center	Fuel	-338.92
EFT	LAW	Card Service Center	Supplies	-121.31
8818	LAW	Kansas State Treasurer	Court Fees	-70.50
			<b>Total Law Enforcement</b>	<b>-841.68</b>
			<b>Total General Fund</b>	<b>-6,644.70</b>

**Waterworks Fund**

EFT	WW	Casey's Business Mastercard	Fuel	-684.15
8822	WW	Universal Chemical LLC	Shop Towels	-208.33
8821	WW	Schulte Supply, Inc.	Meter Covers	-400.68
EFT	WW	Kansas Gas Service	Gas Service	-242.65
EFT	WW	Card Service Center	Water Uniforms	-239.98
EFT	WW	Card Service Center	Supplies	-174.67
EFT	WW	Brad Kirk	Cell Phone Reimbursement	-41.34
8819	WW	Gary Taylor	Water Operator	-1,306.04
			<b>Total Waterworks Fund</b>	<b>-3,297.84</b>

**Special Highway Fund**

8823	SPH	Dreasher Trucking	Asphalt Milling	-4,200.00
			<b>Total Special Highway Fund</b>	<b>-4,200.00</b>

**Special Park and Rec Fund**

EFT	SPK	Card Service Center	Soccer Goals	-399.98
			<b>Total Special Park and Rec Fund</b>	<b>-399.98</b>
			<b>TOTAL</b>	<b>-14,542.52</b>

That this Ordinance shall take effect and be in force from and after its passage.

Passed this 3rd day of June, 2024

Signed or Approved this 3rd day of June, 2024

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



**CITY OF SILVER LAKE, KANSAS  
PLANNING COMMISSION MEETING MINUTES  
OF MAY 22, 2024**

The Silver Lake Planning Commission met on Wednesday, May 22, 2024 at 5:30 p.m. The following members were present:

JEFF REAMER  
JIM STADLER  
GARY MUSSELMAN  
MIKE KRUGER  
TRENT HANNI

being all of the currently appointed members of the Commission.

Also present were the following persons:

TODD LUCKMAN, City Attorney  
JONAH BISHOP, Mayor

The meeting was called to order at 5:30 p.m. It was announced that the first order of business was the election of a chairman. Gary Musselman was nominated by Jim Stadler. Mike Kruger seconded the nomination. There being no further nominations, motion was unanimously carried that Gary Musselman be elected as Chairman of the meeting.

Upon motion of Jim Stadler, seconded by Gary Musselman, Todd Luckman was nominated to serve as Secretary of the meeting. The motion passed unanimously.

The Chairman then noted that the only matter before the Planning Commission was a public hearing on the draft ordinance from the City Council, adding a new provision to the Zoning Code allowing for a special use permit for certain uses in the C-2 Commercial Zone. The Planning Commission took notice of the proposed ordinance and discussed matters pertaining to the implications of approval. The Board asked for input from the public, and heard from Jonah Bishop on the City's reasons for proposing the ordinance.

The Board noted a concern that none of the factors listed required that the trailers be operable or moveable. Considering that many locations in the City are in a flood zone, such a requirement would ensure that the public is not damaged in a flood situation as the trailers or equipment could be moved if all are moveable. Towards that end, the Board formulated the following additional provision:

(v) All semitrailers, travel trailers, trailers, special mobile equipment, farm equipment, construction equipment or similar items of property (as defined in the City's Standard Traffic Ordinance) shall be maintained in an operable and/or movable condition.

Thereupon, Jim Stadler submitted a motion to approve and submit the Ordinance with an addition of the proposed subsection, seconded by Jeff Reamer. The motion was approved unanimously.

There being no further business to come before the meeting, the meeting was adjourned.

APPROVED:

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GARY MUSSELMAN, Chairman

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TODD A. LUCKMAN, City Attorney/Secretary

# City of Silver Lake



ORDINANCE NO. 2606

## AN ORDINANCE RELATING TO ZONING AND PLANNING, AMENDING CITY CODE SECTION 16-2511 AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SILVER LAKE, KANSAS:**

**SECTION 1.** That the City Code of the City of Silver Lake, Section 16-2511, be amended to state as follows:

### **§ 16-2511 EXCEPTIONS TO THIS ZONING ORDINANCE.**

(a) Exceptions to this zoning ordinance shall be made by special use permit after the request has been duly advertised and a public hearing held as required by law.

(b) Prior to review of the request of an exception, by the Board of Zoning Appeals, the applicant shall:

- (1) File an application on forms provided by the city;
- (2) File with the application a statement certifying that the applicant is the lawful owner of the real estate upon which the excepted use is proposed or that he or she has the lawful right to receive a conveyance thereof if the application is granted; and
- (3) File a form of declaration of restrictions indicating use which is to be made by the legal owner if the application is granted. The restrictions must show that use of the land will be solely that which was applied for as an excepted use. The restriction must provide that, if such use is abandoned or is proposed to be changed, the subsequent use shall be in conformity with the zoning restrictions in effect as to the land prior to authorization of the exception, unless a new application for an excepted use is made and granted.

(c) A plot plan shall be filed with the application showing:

- (1) Legal dimension of the tract to be used;
- (2) Location of all proposed improvements including curb-cut access, off-street parking and other such facilities as the applicant proposes to install;
- (3) Grade elevations;
- (4) Building setback from all property lines;
- (5) Front, side and rear elevations of all improvements to be erected;
- (6) Such perspective drawings of the proposed improvements, in such detail as the Board may require as will clearly show the finished appearance of the improvements proposed;
- (7) Location and type of planting, screening or walls; and
- (8) Such other items as the Board shall deem reasonably necessary to properly process the application.

(d) In considering any application for an exception hereunder, the Board of Zoning Appeals shall give consideration to the comprehensive plan of the city, and the health, safety, morals, comfort and general welfare of the inhabitants of the city, including but not limited to the following factors:

- (1) The stability and integrity of the various zoning districts;



- (2) Conservation of property values;
- (3) Protection against fire and casualties;
- (4) Observation of general police regulations;
- (5) Prevention of traffic congestion;
- (6) Promotion of traffic safety and the orderly parking of motor vehicles;
- (7) Promotion of the safety of individuals and property;
- (8) Provision for adequate light and air;
- (9) Prevention of overcrowding and excessive intensity of land uses;
- (10) Provision for public utilities and schools;
- (11) Invasion by inappropriate uses;
- (12) Value, type and character of existing or authorized improvements and land uses;
- (13) Encouragement of improvements and land uses in keeping with overall planning; and
- (14) Provision for orderly and proper urban renewal, development and growth.

(e) Exceptions which may be authorized by the Board of Zoning Appeals are as follows:

(1) *In Districts "R", "R-1", "R-2" and "R-3"*

- (A) Any public building erected on land used by any department of the city, county, state or federal government;
- (B) Cemetery and crematory;
- (C) Telephone exchange, electric substations and regulator stations or other public utilities; and
- (D) Nursing homes and care homes for the aged or a tract of land three acres or larger.

(2) *In District "R-3"* Public and private parking lots on land adjoining a residential, university or commercial zone or a public or semi-public use, providing all of such land lies within 300 feet of the boundary of the zone, and further providing:

- (A) The parking area is paved with concrete, asphalt or similar dust-free surface;
- (B) The parking area is enclosed with a fence, wall or landscaped buffer area, as determined by the Board of Zoning Appeals, having a height of not less than four feet nor more than five feet. Such fence, wall or other enclosure shall be maintained in good condition by the owners and shall observe the front and side yard regulations of the district in which it is located;
- (C) Any lights used to illuminate the parking area shall be so arranged as to reflect light away from adjoining residential district or districts; and
- (D) A bond as specified in § 16-2512 shall be filed with the city to guarantee to the city that all improvements will be installed. The bond shall be enforceable by or payable to the city in a sum equal to the cost of constructing the off-street parking area, as estimated by the city.

(3) *In District "I-1"*

(A) Automobile wrecking yards, junkyards and scrap processing yards subject to the following:

- (i) Located on a tract of land at least 300 feet from a residential district zone;
- (ii) The operation shall be conducted wholly within a noncombustible building or within an area completely surrounded on all sides by a fence,

wall or hedge. The fence, wall or hedge shall be of uniform height (at least six feet high) and uniform texture and color and shall be so maintained by the proprietor as to ensure maximum safety to the public and preserve the general welfare of the neighborhood. The fence, wall or hedge shall be installed in such a manner as to retain all scrap, junk or other material within the yard;

(iii) No junk shall be loaded, unloaded or otherwise placed, either temporarily or permanently, outside the enclosed building, hedge, fence or within the public right-of-way; and

(iv) Burning of paper, trash, junk or other waste materials shall be permitted only after approval of the Fire Department. The burning, when permitted, shall be done during daylight hours only.

(B) Stockyards and slaughter houses;

(C) Meat packing plants;

(D) Ready-mix concrete and asphalt mix plants;

(E) Storage of bulk oil and gasoline provided that such establishments meet the requirements of Fire Department regulations or any other safeguards required by the Fire Department; and

(F) Other uses which are not noxious or offensive by reason of the emission of odor, dust, smoke, gas, noise or vibration.

(4) *In District "C-2" Central Business District.*

(A) Trailer or large vehicle/equipment storage yards, subject to the following:

(i) Located on a tract of land not directly adjoining a residential district zone or established residence, excluding properties separated by roads;

(ii) The operation shall be conducted wholly within an area screened from public view by a fence, wall or similar opaque structure. The fence, wall or structure shall be of uniform height (at least eight feet high, or higher as the City may direct) and uniform texture and color and shall be so maintained by the proprietor as to ensure maximum safety to the public and preserve the general welfare of the neighborhood. The fence, wall or enclosure shall be installed in such a manner as to prevent any material or debris from moving onto public rights of way, roads or public property;

(iii) No semitrailer, travel trailer, trailer, special mobile equipment, farm equipment, construction equipment or similar item of property (as defined in the City's Standard Traffic Ordinance) shall be parked or otherwise placed, either temporarily or permanently, outside the property enclosure delineated by fencing, building walls, structural elements that screen property and/or any other enclosure;

(iv) No semitrailer, travel trailer, trailer, special mobile equipment, farm equipment, construction equipment or similar item of property shall be placed on, or partly within, any public right-of-way;

(v) All semitrailers, travel trailers, trailers, special mobile equipment, farm equipment, construction equipment or similar items of property (as defined in the City's Standard Traffic Ordinance) shall be maintained in an operable and/or movable condition.

(vi) That any lighting of the property shall be directed away from any nearby residential property and appropriately limited to the boundaries of the property itself;

(vii) The property owner shall agree to and manifest compliance with any and all other requirements of the City Code, and shall discontinue the use at any time the operation is found to be in violation of the City Code;

(viii) The property owner shall insure that entry and exit of vehicles and trailers on the property shall be provided at a location with appropriate access to roads or streets capable of safely handling truck and trailer traffic;

(ix) No trailer or other equipment stored shall be taller than 14 feet in height;

(x) All drives, parking areas or storage areas shall be composed of concrete, asphalt or other hard surface, including, but not limited to, asphalt millings or similar materials, so as to limit dust from the property; and

(x) The special use permit granted to the owner shall be reviewed for compliance every Five (5) years by the City Zoning Administrator and said permit and use shall cease within Sixty (60) days' notice by the Zoning Administrator that the use does not comply with these requirements or any other requirement of the City Code. The owner may appeal any such determination to the Board of Zoning Appeals.

(f) In no instance may an exception or special use be allowed that grants a continuance of a nonconforming use.

**SECTION 2.** All Ordinances in conflict with this amendment are hereby repealed.

**SECTION 3.** This ordinance shall be in full force and effect from and after its adoption and publication in the official City newspaper.

**PASSED AND APPROVED,** by the Governing Body of the City of Silver Lake, Kansas this 3rd day of June, 2024.

\_\_\_\_\_  
**JONAH BISHOP, Mayor**

**Attest:**

\_\_\_\_\_  
**MARIE BEAM, City Clerk**

# City of Silver Lake



ORDINANCE NO. 2607

**AN ORDINANCE RELATING TO SALARIES AND  
COMPENSATION OF OFFICERS AND EMPLOYEES OF THE  
CITY OF SILVER LAKE, KANSAS, AND AMENDING SECTION 1, SUBSECTION (A) OF  
ORDINANCE NO.  
2595 AND ALL OTHER ORDINANCES OR  
PARTS OF ORDINANCES IN CONFLICT THEREWITH**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SILVER LAKE, KANSAS:

**Section 1.** That Section 1, Subsection (A) of Ordinance No. 2595 is hereby amended to read as follows:

(A) Assistant Clerk, yearly \$ 44,000.00

**Section 2.** That the prior Section 1, Subsection (A) of Ordinance No. 2595 is hereby amended.

**Section 3.** Effective Date. This salary shall become effective **June 3, 2024.**

PASSED BY THE COUNCIL, this 3rd day of **June, 2024.**

APPROVED BY THE MAYOR, this 3rd day of **June, 2024.**

\_\_\_\_\_  
**Jonah Bishop, Mayor**

ATTEST:

\_\_\_\_\_  
**Marie Beam, City Clerk**

# City of Silver Lake



## RESOLUTION 2024-04

### A RESOLUTION AUTHORIZING THE DISCHARGE OF FIREWORKS WITHIN THE CORPORATE LIMITS OF THE CITY

**BE IT RESOLVED** by the Governing Body of the City of Silver Lake, Kansas that fireworks as defined in Section 7-301 of the Code of the City of Silver Lake, Kansas may be lawfully discharged within the corporate limits of the City of Silver Lake only between the hours of 9:00 A.M. and 10:00 P.M. on June 27<sup>th</sup>, June 28<sup>th</sup>, June 29<sup>th</sup>, June 30<sup>th</sup>, July 1<sup>st</sup>, July 2<sup>nd</sup>, 2024 and between the hours of 9:00 A.M. and midnight on July 3<sup>rd</sup> and July 4<sup>th</sup>, and between 9:00 A.M. and 10:00 P.M. July 5<sup>th</sup>, 2023. Furthermore, fireworks may be lawfully discharged between the hours of 11:50 P.M., December 31, 2024 and 12:10 A.M. on January 1, 2025.

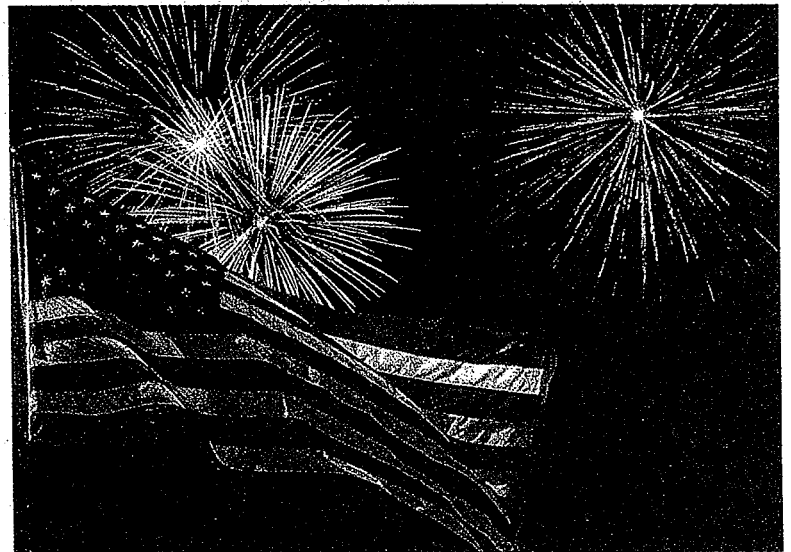
In the event of a county wide burn ban, the lighting of fireworks within the city will be prohibited.

Adopted by the Governing Body of the City of Silver Lake, Kansas, this 3rd day of June, 2024.

\_\_\_\_\_  
**Jonah Bishop, Mayor**

**Attest:**

\_\_\_\_\_  
**Marie Beam, City Clerk**



# City of Silver Lake

PO Box 92  
218 W. Railroad St.  
Silver Lake, KS 66539



## APPLICATION FOR TEMPORARY STREET CLOSING PERMIT

Responsible Party:

Brynne Lassiter (Silver Lake Library) 103 Railroad St. 66539  
(Name in Print) (Address/Zip Code)

785-582-5141  
(Telephone)

I, the undersigned, do hereby petition for the closure of:

Madore Street  
(Street Name)

Between Madore and Railroad  
(crossing street names)

on June 4th From 8:30 p.m. to 10:30 p.m.  
(Date) (Time) (Time)

for purpose of:

Showing of The Chosen by members of the Lakeside  
(Detailed Description of Event)

Baptist church

Signature of Applicant:

Brynne Lassiter Date 5/24/24

Office Use

APPROVED:

Date \_\_\_\_\_

\*\*\*NOTE: APPLICATIONS ARE DUE 15 DAYS IN ADVANCE OF PROPOSED CLOSURE\*\*\*

\*\* Original to City; Copy to Responsible Party\*\*

## LEAK ADJUSTMENT POLICY

When a customer advises the City that a leak has occurred at an address, the following policy and procedure for adjustment of the billing may be followed, in the discretion of the City Council:

1. The City will first determine if the leak meets certain criteria and will require documentation from the customer regarding the leak:

- a) The leak was undetectable by the customer (usually underground) and was not the result of a readily detectable leak (usually above ground problem) i.e. leaking faucets, toilets, hydrants, etc. that should be detected quickly by the customer.
- b) There has been no adjustment for a leak for this address/customer in the past 2-year period.
- c) The customer shall provide repair receipts from a plumber/contractor or copies of bills for plumbing materials used to repair the leak to show that the repair work has been completed.
- d) The City Council agrees that a leak adjustment is appropriate considering the facts and information known to the City, and that the leak was not caused by reckless actions or gross neglect by the customer. All leak adjustments are in the sole discretion of the City, based upon this Policy, the facts of each incidence and the cost to the City.

2. If the above standards are met and proper documentation is received by the City to the satisfaction of the City Council that a leak was indeed suffered by the customer, the customer shall make written request for adjustment of the account billing, including any request to pay an adjusted amount over time.

3. If approved, a leak adjustment shall provide as follows:

- a) A maximum of 2 billing cycles will be approved for adjustment. The City shall review the account to determine the probable time that the leak occurred in order to decide whether one (or two) billing cycles qualify for the adjustment. If the leak has been ongoing for a long period, the most recent month(s) will apply to the adjustment.
- b) If the use was not metered, the City shall determine the average usage of the service in question. Average usage is determined by reviewing the 3-month period prior to the leak event or averaging a 3-month period during the same seasonal period in the previous year using the highest average calculated.
- c) Either the actual use, or the average usage shall be taken times a water cost amount to determine the adjusted amount owed. This water cost amount is the determination of the actual cost to the City to supply water, including, but not limited to City employee time and cost of treatment/distribution.
- d) The City will determine a payment schedule if the customer cannot pay in full upon adjustment. Any adjustment under this policy is a matter of discretion and not a matter of



right, and the City may deny any request for an adjustment as long as the denial is not arbitrary or unreasonable. Past allowances shall not set any precedent as to require the City to act accordingly in other circumstances.

APPROVED this \_\_\_\_ day of \_\_\_\_ 2024.

\_\_\_\_\_  
, Mayor

Attest:

\_\_\_\_\_  
, City Clerk

## Silver Lake - Utilities

(b) The city may discontinue or refuse a particular utility service to any customer, whether at the property where unpaid service was provided or any other property owned or occupied by the customer subsequent to the unpaid billing period, following compliance with the notice and hearing requirements of § 15-204, for any of the following reasons:

(1) Nonpayment of utility bills and charges as provided in § 15-204; or

(2) When the customer misrepresents his or her identity or otherwise intentionally provides false information for the purpose of obtaining utility services from the city.

(c) The city may discontinue or refuse a particular utility service to any customer, following notice to the customer, for any of the reasons set out in this division (c). The customer shall have the right to a hearing within a reasonable time, not to exceed ten days, following termination or refusal of service. If after such hearing the hearing officer finds in favor of the customer the hearing officer may order connection or reconnection of the service at no cost to the customer:

(1) When the customer refuses to grant employees of the city's Utility Department access to equipment installed upon the premises of the customer for the purpose of inspection, meter reading, maintenance or replacement;

(2) When the customer violates any rule, regulation or ordinance of the city pertaining to utility services, which violation adversely affects the safety of the customer or other persons, or the integrity of the city's utility services delivery system; or

(3) When the customer attempts, causes or permits unauthorized interference, diversion, theft, tampering, damage or use of utility services or the utility services' delivery system situated or delivered on or about the customer's premises.

(Ord. 1267, passed 9-4-1984; Ord. 1290, passed 6-3-1985)

### § 15-203 UTILITY BILLING DATES; DELINQUENCY DATE.

Utility billings shall be mailed on approximately the tenth day of each month for the previous month serviced. All billings for utility services shall be due and payable at the office of the City Clerk upon receipt and must be paid in full not later than the last day of the month. Payment for utility service not received prior to the last day of the month shall be delinquent. A delinquent charge of \$10 will be added to each delinquent utility bill.

(Ord. 1968, passed 2-7-2005)

### § 15-204 NONPAYMENT OF UTILITY BILLS.

(a) An account delinquency and service discontinuance notice shall be issued in writing on the fifth day of the month with respect to any delinquent and unpaid utility service bill. Notice shall be sent by U.S. mail, first class, to the customer (and a copy also sent by U.S. mail, first class, to the occupant of the premises served if the occupant is not the customer) at the last known address of the customer as

shown on the records of the city. Written notice may also be provided by personal service upon the customer by an employee of the city.

(b) The notice of account delinquency and service discontinuance shall provide the following information:

- (1) Name of customer and address where service is being provided;
- (2) Account number;
- (3) Amount past due;

(4) Notice that utility service shall be terminated upon failure to pay the delinquent billing within five days of the date of the mailing of the notice or the day following the hearing, whichever last occurs; and

(5) Notice that the customer has the right to appear and be heard at a hearing on the hearing date set by the city.

(c) (1) Any utility customer receiving a notice of account delinquency and service discontinuance shall have the right to a hearing prior to disconnection. The hearing shall be held not less than five days after the date of the notice. The governing body shall appoint the City Clerk, the City Utility Superintendent, or such other suitable person or persons to conduct such hearing. At such hearing, the customer and the city shall each have the right to present such evidence as is pertinent to the issue, may be represented by counsel, and may examine and cross-examine witnesses. Formal rules of evidence shall not apply.

(2) The hearing officer shall promptly make his or her findings and shall enter his or her order accordingly. Unless otherwise ordered by the hearing officer, utility service shall be discontinued the date after the date that the order of discontinuance is issued by the hearing officer. Extension of the date of discontinuance may be granted to enable the customer to make arrangements for reasonable installment payments or for other good cause shown. The hearing officer's order shall be filed by the City Clerk, and a copy thereof shall be provided to the customer in the same manner as set forth in division (a) above.

(d) Any party aggrieved by the decision of the hearing officer may appeal the same by filing a written notice of appeal with the City Clerk. The City Clerk shall have forms available for this purpose. Notwithstanding the order of discontinuance, service shall not be discontinued if the notice of appeal has been received prior to termination. Any such appeal shall be set for hearing before the governing body at its next regularly scheduled meeting or special meeting. The determination of the governing body shall be final. The determination of the governing body shall be recorded in the minutes of its official proceedings, and notice thereof shall be provided to the customer in the same manner described in division (a) above.

(Ord. 1573, passed 7-19-1993)

Month: May 2024

Public Works  
Monthly Report

Activity	Quantity	Remarks
WATER PUMPED	2689000	
WATER LEAK MAIN	0	
WATER LEAK SERVICE	0	
SEWER BACKUP	0	
LOCATES	12	
BUILDING PERMITS	2	
LAGOON REPORT	0	
PUMPED TO LAGOON	1900800	
Water samples	3	

**SILVER LAKE POLICE DEPARTMENT  
ACTIVITY REPORT FOR: ALL OFFICERS  
MONTH AND YEAR: MAY 2024**

TRAFFIC STOPS	TOTALS:
Tickets:	0
Warnings Total:	19
Verbal:	19
Written:	0
DUI Investigation:	0
DUI Arrests:	0
No. of Vehicle Stops:	19
ARRESTS	
Felony:	0
Misdemeanor:	0
WARRANTS	
Served:	0
NCIC Hit:	
ACCIDENTS	
Injury:	0
Non-Injury:	0
OTHER TYPES OF CALLS	
Animal:	
Assist Other Agencies:	6
Suspicious Persons/Vehicles:	3
Assist Public:	37
Disturbance:	8
Fire/Medical:	4
Juvenile:	4
UTV/MUT Inspections:	0
Golf Cart Inspections:	0
Burglary:	0
Theft:	2
Civil Standbys:	1
Mental Health Issues:	0
Alarms:	3
Commercial Vehicle Stops/Inspections:	0
Stolen Vehicle Recoveries:	0
UTV/MUT Violations:	1
Business open doors	1
Residential open doors	4
Car seat inquiries	0
Police Case Reports	3