

16 December 2010 Joint BPA Council

**Joint BPA Council Meeting
16 December 2010**

Mayor Blair called the meeting to order at 7:00 PM.

Roll Call: Gerald Rougé – Yes, Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Charles Hauser – Yes, Brian Johnston – Yes, Curt Johnson – Yes, Judy Beaumier – Yes.

Visitors: Jennell Dahlhausen, Chip Hess, Marcianne Kimpton, Cady Hutchinson, Paul Eaton, Marty Motil, Mike Sestak, Newell Beaumier, Joe Kozial.

Solicitors Report: Todd Hicks, Thrasher Dinsmore and Dolan
Mr. Hicks was not available to report.

Fire Department: Chief Sestak

Chief Sestak presented the Burton Volunteer Fire Department contract for 2011 through 2012. Chief Sestak stated that the increase represented strictly operational needs, not increased payroll.

Mr. Johnson asked about the sprinkler system at the Red Fox Inn. Chief Sestak described it as inoperable and supposedly shut down. Further investigation is needed. The building is winterized.

Mayor Blair recommended that Council take up the Ordinance for the fire contract at this time. Ms. Swaney introduced Ordinance 2212-10, approving and adopting a Fire Contract with Burton Volunteer Fire Department for the years 2011 and 2012 and declaring an emergency. Ms. Swaney moved to waive further readings. Mr. Hauser seconded the motion. Roll Call: Linda Swaney - Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Dianne Lillibridge – No, Gerald Rougé – Yes, Craig Ronyak – Yes.

Ms. Swaney moved to adopt Ordinance 2212-10. Mr. Hauser seconded the motion. Roll Call: Linda Swaney - Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Dianne Lillibridge – No, Gerald Rougé – Yes, Craig Ronyak – Yes. Ordinance 2212-10 is adopted.

Zoning Inspector: C. Hutchinson

Ms. Hutchinson reported that the situation with the cows and the electric fence is being rectified. Preston Superstore has applied for a permit to erect another structure. The zoning request and plans for review have been submitted.

Ordinances and Resolutions:

Ms. Swaney placed Ordinance 2207-10, adopting and approving the 2011 Interim Budget on final reading and moved to adopt. Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Ordinance 2207-10 is adopted.

Ms. Swaney placed Ordinance 2210-10, amending section 1134.04(b) of the Codified Ordinances of the Village of Burton for official posting places of approved and disapproved zoning applications, on second reading.

Ms. Swaney placed Ordinance 2211-10, amending section 521.07 of the Codified Ordinances of the Village of Burton to allow electrified pet containment systems and modify where electrified fences are allowed within the Village limits, on second reading.

Ms. Swaney introduced Resolution 2010-20, accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Ms. Swaney moved to waive further readings. Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes, Charles Hauser – Yes.

Fiscal Officer:

Mr. Paquette asked for a motion to adopt the minutes of the 9 November BPA meeting. Mrs. Beaumier so moved and Mr. Johnson seconded the motion. By voice vote, motion passed.

Mr. Paquette asked for a motion to adopt the minutes of the 22 November Council meeting. Mrs. Lillibridge so moved and Mr. Hauser seconded the motion. By voice vote, motion passed.

Mr. Paquette asked for a motion to pay approved bills for Council. Mrs. Lillibridge so moved. Ms. Swaney seconded the motion. By voice vote, motion passed.

Mr. Paquette asked for a motion to pay approved bills for BPA. Mrs. Beaumier so moved and Mr. Johnson seconded the motion. By voice vote, motion passed.

Mr. Paquette reported to Council that according outstanding purchase orders, there are \$5,600 worth of invoice ready to come due before the end of the month. The largest was Morton Salt, followed by Pitney Bowes,

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Preston Chevrolet, Dominion East Ohio, Tractor Supply, Middlefield Farm and Garden, Shetler Printing, and Advance Auto Parts. Mr. Paquette asked for Council approval to pay these invoices in a timely fashion prior to the next Council meeting, otherwise the invoice would fall onto next years budget. Mr. Ronyak moved to allow the Fiscal Officer to pay said bills as necessary. Ms. Swaney seconded the motion. By voice vote Council approved the motion.

Mr. Paquette reported that the 2011 Budget had been distributed. There were three changes; the transfer from the General Fund Goodwin Ave Line item is now \$3332.76, Police training is up to \$8400 to cover special Training for the Chief and Police rents and leases is up to \$900 to cover email addresses within the Burton.org web system.

Mr. Paquette asked BPA if they had decided about the CORPRO.

Cashiers Report

Ms. Dahlhausen reported that the following accounts were paid in full, 1205 and 2225.

Ms. Dahlhausen reported that the Kristo's have moved and want to have the water shut off. Ms. Dahlhausen recommended that a final reading be done being turned off. House may go into foreclosure. Mr. Hauser noted that there are unlicensed vehicles and trash on the property. The Zoning Inspector will look into the situation.

Ms. Dahlhausen reported that Mr. Imars final bill was unpaid. Thoreson house is also still unpaid and in the middle of foreclosure proceedings. Ms. Dahlhausen requested permission to begin certifying them to taxes. Mr. Johnson moved to have Mr. Imars and Mr. Thoreson's delinquent water and sewer bills certified to property taxes. Mrs. Beaumier seconded the motion. Roll Call: Curt Johnson – Yes, Judy Beaumier – Yes, Brian Johnston – Yes. Motion carried.

Mr. Bailey's home is on the Sheriff Sale List. Ms. Dahlhausen discussed the fact that the owner requested turnoff of the unused apartment however the Village cannot comply because there is not a separate shutoff.

Ms. Dahlhausen noted again that she had received reports of bills being lost in the mail.

Burton Public Library has requested to be exempted from a minimum bill over the winter for their garden sprinkler system. The system receives only a water bill but cannot be shut off because of the way it's tapped from the main in the Library. BPA declined to act on the request.

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Ms. Dahlhausen reported that Mr. and Mrs. Ramierez are requesting to tap into the sewer line north of the Village as per an agreement made by the BPA with the former owners, Sue and Jerry Wayman. The Ramierez's are asking for a payment plan; \$1000.00 and the remainder over the course of one year. Ms. Dahlhausen showed BPA a similar plan adopted for Mr. and Mrs. Grzywinski. Mrs. Beaumier moved to allow Mr. and Mrs. Ramierez permission to tap in with a written payment plan to be completed in one year and with the acceptance that a missed payment will mean a requirement for immediate payment in full or certification to their property taxes. Mr. Johnson seconded the motion. Roll Call: Judy Beaumier – Yes, Curt Johnson – Yes, Brian Johnston – Yes. Motion Passed.

Ms. Dahlhausen received many compliments that the Street and Utilities Department did an excellent job keeping up with the snow during the last two major snow events.

A complaint was made by one of the Street Department employees that tenants (in some of the apartments and businesses) were using the Village provided street trash receptacles for their personal trash rather than paying for disposal. Council discussed. Ms. Hutchinson found a reference in the Codified Ordinances prohibiting such practices however another question arose as to how to enforce it. Council will refer the question to Mr. Hicks.

Mrs. Lillibridge asked Mr. Hess if he had completed a survey of ownership of the alleys behind the North Cheshire street buildings. Mr. Hess replied that he had not done that yet.

Engineers Report; Hess and Associates

Mr. Hess reported that he looked over the rate information provided by RCAP and Mr. Paquette and made a summary of expenses to income. The bottom line was the need for BPA to look ahead to how much they wanted to accrue in savings for future projects. BPA and Council briefly discussed. BPA agreed to meet in a working session on December 21 at 1 PM in the Village office.

Mr. Johnson asked about a proposal from WSI Corp to build a wastewater treatment plant for approximately 4 million dollars. BPA desired to keep going forward with this proposal. Mr. Hess will contact WSI to see about their willingness to obtain approval from Ohio EPA, the next step in the process if the Village wants to utilize the idea.

Mr. Hess and Mr. Eaton are working on getting figures together for a new blower at the wastewater treatment plant to be paid for by a NOPEC grant. The blower(s) may cost in excess of the \$50,000 allotted in the grant.

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Mr. Preston has provided plans to Mr. Hess for the new building being contemplated and Mr. Hess will review.

Ms. Dahlhausen added a reminder from Chief Sestak. The annual Fire Department Appreciation Dinner is set for January 8 and the Chief requested an RSVP from interested Council and BPA as soon as possible.

Operators Report;

Mr. Eaton reported that the furnace needs repairs at the water plant. Burton Sheet Metal has offered to do the work for \$980. And a new chart recorder is needed in the water plant as well. Bergren Associates has proposed to do the work for approximately \$2000. Mr. Eaton recommended these be done. Mr. Paquette reported that funds were available this fiscal year. Mr. Johnson moved to have Burton Sheet Metal repair the furnace and Bergren Associates replace the chart recorder and that Mr. Paquette pay them upon completion in this fiscal year. Mrs. Beaumier seconded the motion. Roll Call: Curt Johnson – Yes, Judy Beaumier – Yes, Brian Johnston – Yes. Motion passed.

Mr. Eaton recommended holding the Phil Miller construction invoice for \$7200 until further review is completed. Mr. Eaton felt that the price might be lower because less linear feet of job was actually needed.

Mr. Eaton asked BPA and Council to consider revising the Utility department salary caps and giving pay raises this year.

Committee Reports

BPA, PLANNING COMMISSION and ARCHITECTURAL REVIEW BOARD, Mr. Rougé;
Mr. Rougé had nothing to report.

BZA, LOCAL GOVERNMENT and BOARD OF REVIEW, Mr. Ronyak;
Mr. Ronyak had nothing to report.

FINANCES, ECONOMIC DEVELOPMENT COMMITTEE, BCPA, Mrs. Lillibridge;
Mrs. Lillibridge Berkshire Community Planning Association meets again in January.

TREES and PARKS, GRANTS, HISTORIC DISTRICT ASSOCIATION, Ms. Swaney;
Ms. Swaney nothing to report.

STREETS and CEMETERY, Mr. Coleman;

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Mr. Coleman reported that leaf collection was completed. Trailer brakes were added to one vehicle for increased control hauling the leaf vac. The white dump truck had its brakes overhauled. Geauga Glass replaced a windshield in one of the vehicles. Mr. Motil reiterated the need for a new salt hopper for next season. A new stainless steel hopper is around \$10,000 but a new polyvinyl hopper may be cheaper. Mr. Motil met with Laura Cerrito concerning emergency plans. Mr. Coleman noted that Paul and Jerry of the Utilities Department have been assisting the Street Department hauling snow. Mr. Coleman added his thanks to the great job they were doing and Council and BPA agreed.

Mr. Motil is meeting with an architect after the new year to start planning a handicap bathroom rehab at the log cabin using CDBG grant monies. Ms. Swaney and Mr. Hess felt the Village was in a good position to obtain the grant. The architect will come before Council and explain his plans before any fees start to accrue. Mrs. Beaumier asked about the ownership of the log cabin and why the Village would be doing improvements if the Chamber of Commerce owned it. Council discussed.

HEALTH DISTRICT ADVISORY REPRESENTATIVE, FIRE DEPARTMENT, Mr. Hauser; Mr. Hauser had nothing further to report on the Fire Department. Mr. Hauser the Health District Advisory committee meets after the first of the year.

Old Business:

Ms. Swaney asked if Mayor Blair had rescheduled the Village Administrator committee. Mayor Blair asked if Council or BPA had any preferences. A date of 3 January at 7 PM in the Village office was chosen.

Mr. Coleman expressed a concern over raising the rates by 50 or more percent all in one step. Council discussed.

New Business;

Mr. Paquette reported that JC's Restaurant has applied for a D5 liquor permit. Mr. Paquette asked if Council wanted to request a public hearing regarding the issuing of the license. Mr. Hauser moved that Council did not desire a public hearing and Ms. Swaney seconded the motion. By voice vote, motion passed.

Mr. Paquette asked BPA if they desired to raise the tap in rates by 3% for 2011. Mr. Johnson moved to have the tap in rates increased by 3% and Mr. Johnston seconded the motion. Roll Call: Curt Johnson – Yes, Brian Johnston – Yes, Judy Beaumier – Yes. Motion passed.

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Mr. Coleman reminded the public that sidewalk snow removal is a courtesy provided by the Village, not a requirement. The Street Department completes sidewalks as they have time.

Mayor Blair asked Council if they were interested in canceling the last meeting of the year. Ms. Swaney moved to cancel the Council meeting of 27 December and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. The second meeting of the month of December is cancelled.

Mr. Coleman moved to enter executive session for employee compensation and Ms. Swaney seconded the motion. Roll Call: Jeff Coleman – Yes, Linda Swaney – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Entered executive session at 8:30 PM.

Ms. Swaney moved to leave executive session at 8:48 PM. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Council returned to regular session.

Ms. Swaney moved to enter executive session at 8:49 for personnel disciplinary actions. Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes, Charles Hauser – Yes.

Ms. Swaney moved to leave executive session at 9:00 PM. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Council returned to regular session.

Ms. Swaney moved to adjourn. Mr. Hauser seconded the motion. Meeting adjourned at 9:02 PM

Mayor

Fiscal Officer