

12 October 2010 Joint BPA Council

**Joint BPA Council Meeting
12 October 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, Jack Garner, Cady Hutchinson, Nick Fischbach, Bev Fischbach, Lawrence Lennon, Paul Eaton, Louise Lennon, Marty Motil, Mike Sestak, Todd Hicks.

Mayor Blair recognized Mr. Lennon. Mr. Lennon stated that he was a property owner in the Village and that he was concerned about property values, the ability to improve property without intrusion by the government and resale value with regard to the assignment of historic district status to his property and others. Mr. Lennon pointed to the recently enacted lead paint abatement law that was already adding a burden to home sellers and improvers. Mr. Lennon noted that he, a realtor, was obligated to inform sellers about the lead paint law and its consequences. Mrs. Beaumier asked if that law was not more narrowly confined to contractors to which Mr. Lennon acknowledged that contractors would be the ones required to perform it.

Mr. Lennon made three suggestions. One, abrogate taxes for those affected, or two fix the law, or three make it apply to everyone in the Village. Council discussed and took his suggestions under advisement.

Solicitors Report: Todd Hicks, Thrasher Dinsmore and Dolan
Mr. Hicks had nothing to report

Fire Department: Chief Sestak
Chief Sestak presented the Burton Volunteer Fire Department report for September. There were 56 EMT calls in the Village for the month, of which 42 were directly related to the Fair, and 7 fire calls. The Department has responded to 613 calls so far this year. Chief Sestak reminded all present that the Fire Department was again holding a turkey raffle on 19 November at the Fire Station.

Zoning Inspector: C. Hutchinson
Ms. Hutchinson reported that a complaint about an electric fence on Huff Avenue proved true however the owner of the fence pointed out that the Century Village has both barbed wire and electric fence on its property.

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Ms. Hutchinson confirmed with Century Village that there was electric and barbed wire fencing on their property. No written variance was known although the Century Village representative claimed it was grandfathered. Ms. Hutchinson asked Council for suggestions before proceeding. Council discussed and at the urging of Mr. Hicks, referred the matter to the Planning Commission.

Ordinances and Resolutions:

Ms. Swaney placed Ordinance 2202-10, deleting the requirement for a cemetery board treasurer, second reading.

Ms. Swaney placed Ordinance 2203-10, amending the Village posting places for Ordinances and Resolutions, on second reading.

Ms. Swaney introduced Resolution 2010-19, authorizing the mayor and the Village of Burton engineer to prepare and submit an application to participate in the Ohio Public Works Commission state capital improvement program and to execute contracts as required and declaring an emergency, and placed it on first reading.

Ms. Swaney moved to waive further readings of Resolution 2010-19. Mayor Blair asked for discussion and presented an argument the water and sewer funds were not prepared to assume the financial burden of a new Wastewater Treatment Plant (WWTP) because of rates. Mr. Hess noted that this request only put the Village in line to receive \$500,000 from OPWC and then it would have to go forward to obtain the EPA zero percent loan for the remainder of the \$3.5 million. Council and BPA discussed the pros and cons of proceeding. Ms. Swaney withdrew her motion to waive further readings. Council will take up the matter again at the next meeting.

Fiscal Officer:

Mr. Paquette asked for a motion to adopt the minutes of the 14 September 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 27 September 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. Mrs. Lillibridge so moved. Ms. Swaney seconded the motion. By voice vote, motion passed.

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Mr. Paquette reported that the new owners of Coffee Corners are asking to renew the D2 liquor license for that establishment. Council voiced no objection.

The State Auditor has asked that the Village of Burton conduct its next two audit cycles using an independent auditor. To that extent a request for proposal has been created by the State Auditor and we will be participating. This could result in some variable costs for the Audit next year.

The Village has received two quotes for liability and property insurance for the next year. Our current agent has proffered a quote of \$16,161.00 while a competing agent has offered matching insurance amounts for a price of \$12,885.00. The current insurance is a single carrier while the new offer is for a pooled product. Council requested more information about possible differences in the two products before deciding.

Mr. Paquette relayed a request from a consultant working for Geauga County Emergency Management Agency. The consultant asked for the sequence and criteria for ordering and terminating an evacuation order.

Chief Sestak stated that the Fire Chief was in charge of emergencies per ORC and that the Fire Department already had plans in place for evacuation orders. Mr. Paquette suggested a joint meeting between the Chief, Mayor Blair, Mr. Wedge (as EMA director) and himself.

Mr. Johnson noted the need to pass the 3 August BPA minutes and so moved. Mrs. Beaumier seconded the motion. By voice vote, motion passed.

Cashiers Report

Ms. Dahlhausen reported that the following accounts were paid in full, 1135, 2045, 3400, 4050, and 4605 (paid \$130).

Ms. Dahlhausen recommended account 1558, 4080 and 4435 be certified to taxes. Mr. Johnson so moved and Mrs. Beaumier seconded the motion. By voice vote, motion passed.

Ms. Dahlhausen reported that Mr. Imars had made good a returned check and that the Red Fox Inn had the water shut off and was winterized. Chief Sestak questioned whether a building with a sprinkler system could be left unheated and felt that the sprinkler system for a building of that size should not be turned off. Mr. Eaton will look into the matter farther.

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Ms. Dahlhausen noted that she had received many reports of bills arriving late to consumers. BPA stated that they will take that into consideration.

Discussion on pool meters was postponed until the next meeting.

Ms. Dahlhausen commented on the good job Stonehugger Monument Restorations did on the monuments in the cemetery.

Ms. Dahlhausen reminded Council that Ms. Holly Lynn had requested a bike rack somewhere uptown.

Engineers Report; Hess and Associates

Mr. Hess reported that Said of ARCADIS will attend the next BPA meeting on 9 November to further explain Phase I of the WWTP expansion proposal.

Operators Report;

Mr. Eaton reported that hydrant flushing will be starting next week. A contractor needs to come back to the Village to finish fixing a repair made in the Village.

There were no violations of our EPA permit during the Fair. Mr. Johnson asked if the Fairboard's pretreatment efforts helped. Mr. Eaton stated that he was unsure and thought that our violation free effort might have more to do with when the tests were taken.

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 reported that she had attended the Burton Township meeting and learned of two hunters who were caught on top of the water pump house. The Township asked if the Village would join with them in posting Village property off limits to hunting. The Mayor and Council discussed noting that very little of the area around our buildings was owned by the Village. At best the Village would be well served to post no trespassing /keep off signs on the buildings themselves.

Berkshire Community Planning Association meets on Thursday.

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TREES and PARKS, GRANTS, HISTORIC DISTRICT ASSOCIATION, Ms. Swaney; Ms. Swaney reported that the Tree Commission will be going around and conducting a tree survey.

The Local Review Committee overseeing the Ohio Certified Local Government request for proposal for the Historic District Walking tour brochure will meet this week to choose a consultant from amongst the seven applications that were returned.

STREETS and CEMETERY, Mr. Coleman; Mr. Coleman reported that chip and seal will not be done this year due to timing issues and weather. Mr. Coleman asked if Council wanted to extend the contract into next year or go out for additional quotes next season. Council agreed to re bid the job next year.

Mr. Coleman reported that one salt hopper was in poor condition and needed to be replaced. Holmes County had a stainless steel hopper up for bids on Govdeals.com that would be a good replacement. Mr. Coleman and Mr. Motil felt that the existing hopper would be hard pressed to make it another season. Council discussed. Mayor Blair suggested waiting until the item was budgeted next year.

Drainage pipe was installed along the east driveway of the cemetery.

Crack sealing may begin next week.

The Street Department is ready for Fall leaf season.

Mr. Motil recommended a meeting to discuss long term Capital Improvements. He noted Rapids, Garden, Cook, and Hickox as priorities.

As for the ATT/Carlton repaving job, the contractor hired to do the job died and both ATT and the contractors company are unsure where the job stands at this point. The Village received one quote to repave after ATT finished its part.

HEALTH DISTRICT ADVISORY REPRESENTATIVE, FIRE DEPARTMENT, Mr. Hauser; Mr. Hauser had nothing to report on the health district.

Mr. Hauser reported that the fire levy renewal was coming up for vote in November. As for the Tax District, there is nothing further to report at this time. Burton Village and Burton Township are onboard at the time but Claridon Township still has some questions. According to the Auditor a universal levy for the Tax District would be about 3 mills. This would save the residents some money.

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Council and BPA discussed current levy renewal noting that a replacement would have brought more money. Mr. Paquette stated that he had recommended a renewal at this point because of the economy and the fact that the Police have a levy on at the same time.

MAYORS Report;

Mayor Blair expressly thanked the Water and Sewer Department employees for all their efforts at maintaining the infrastructure and the aging wastewater treatment plant.

Old Business:

Mr. Paquette asked if there were any suggestions or input into the 2011 budget. At the next meeting Mr. Paquette will present the interim and proposed budget and suggestion options. Mr. Paquette noted that the requests made so far by the Street and Cemetery Board along with projections for the Police department will necessitate some budget cuts by Council.

Ms. Swaney brought up the matter of benches in front of one the building along North Cheshire. Ms. Dahlhausen reported that the benches had been removed by the current owner of the building because of improper behavior by juveniles while on the benches. Council discussed. Consensus was reached that they were not the Village's benches however Council asked Mr. Hauser to talk to the building owner/business owners to see about getting them back.

Mr. Coleman passed out a draft ordinance to Council covering emergency snow parking bans in the west municipal parking lot. Mr. Coleman asked for Council review. Council suggested a minimum of 2 inches before the ban goes into effect. After 9PM the parking lot would need to be cleared. Council discussed the issue of parking passes and the cost. Council decided not to charge anything for the passes. A range of affected addresses for the parking ban will be inserted and the legislation will authorize towing at the owners expense.

Mrs. Beaumier asked for a copy of the questionnaire to be used for gathering information for Village Administrators in other Villages.

New Business;

With regard to new water and sewer rates, BPA will discuss at their next meeting and have a recommendation to Council after that.

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Mr. Coleman recommended that Council consider Mr. Lennon's comments. Ms. Swaney suggested that Mr. Hicks review as it concerns the Certified Local Government status of the Village.

Ms. Swaney moved to go into executive session at 8:45 PM to discuss personnel disciplinary issues. 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. Entered executive session.

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 adjourn. Mrs. Lillibridge seconded the motion. Meeting adjourned at 8:49 PM

Mayor

Fiscal Officer