

11 Oct 2011 Council BPA

**Joint BPA/Council Meeting  
11 October 2011**

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

**Roll Call:** Gerald Rougé – Yes, Linda Swaney – No, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Charles Hauser – Yes, Curt Johnson – Yes, Brian Johnston – Yes, Judy Beaumier – No.

**Visitors:** Marcianne Kimpton, Jack Garner, Jennell Dahlhausen, Arlene Richardson, John Spisak, Chad Eldridge, Todd Hicks, Elmer Bollinger.

**Recognition of Visitors:**

Mayor Blair noted that Mr. Bollinger was not yet in the audience and moved on.

**Solicitors Report to BPA:**

Mr. Hicks had nothing to report.

**Fire Department Report:**

Chief Sestak was not available to report.

**Zoning Inspector Report:**

Mayor Blair deferred selection of the next Zoning Inspector until the end of the meeting. Mayor Blair reported that the Durham permit was approved.

**Old Business**

Mr. Paquette began a discussion of the proposed 2012 Budget by asking if Council and BPA had any questions. Mr. Paquette went on to explain that without the \$850,000 windfall in inheritance, the Village would not be able to carry out any kind of sustained capital improvement plan. The latest change to the budget included an increase in appropriations requested by the Cemetery Board and a transfer from the General Fund to Cemetery Operations to cover the increase. Mr. Paquette showed Council the five year outlook and pointed to the need to transfer in extra money to the Fire and Rescue Fund to cover potential increases. The amounts given were based on no change in the amount of the Fire Levy. Mr. Coleman asked about putting some of the windfall into the water tower replacement Fund. Mr. Paquette recommended against that noting that the Water and Sewer funds were self-sustaining. The rate increase had been designed to provide funding for operations and replace of infrastructure including the water tower, water treatment plant, wastewater treatment plant, water lines and sewer lines.

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Mr. Johnston asked if the County had any control over how the Village spent the inheritance funds. Mr. Paquette answered by saying that the County cannot technically tell the Village how fast to use up the carry over, however the Townships of Bainbridge and Chesterland were encouraged to voluntarily stop collection of a levy due to excessive carryover. Mr. Johnson recommended that some thought be given to using part of the inheritance money for something that would last, not just roads or operational costs. Mr. Johnson did not have a particular project in mind.

Mr. Paquette asked Council and BPA if they had received a copy of the Capital Improvement Plan. The Plan was drafted by a Council working committee and reflects a good start to planning the use of the inheritance funds. Mr. Paquette asked for questions or comments however there were none.

Mr. Elmer Bollinger arrived and requested to speak to Council about improving and keeping up the Veterans Memorial in the Village Park. Mr. Bollinger recommended removing the existing shrubs, replace the fence and add a flower bed. The American Legion current Commander is amenable to the project. Mr. Ronyak asked Mr. Bollinger what he is asking of the Village. Mr. Bollinger stated that he and the Legion thought it should be the Village responsibility to remove the bushes and replace or repair the fence. Mr. Ronyak offered to have Ronyak Paving provide the materials. Mr. Hauser felt that the Street Department could do the work. Mr. Coleman moved to redo the Veterans Memorial in the Village Park in the spring. Mr. Ronyak seconded the motion. Roll Call: Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Motion passed.

Mayor Blair returned Council and BPA's attention to Old Business. Mr. Johnson asked BPA to consider revising Section 119 of the Board of Public Affairs Rules and Regulations. Mr. Johnson raised a question about shut off notices are generated. Specifically, Mr. Johnson noted that in his case two separate properties with separate account number had unpaid utility bills. The bills separately totaled less than the \$300 cutoff but added together exceeded that threshold. Ms. Dahlhausen noted that according to past practice if a single owner was \$300 in arrears whether from one account or multiple accounts together then a shut off notice was sent with the possibility of shutting off all the accounts. Mr. Hicks pointed out that a shut off limit was an important tool to help BPA collect its money. Mr. Paquette asked if a multiple holding landlord had one account at the threshold or maybe two accounts adding up to the limit, would every one of the accounts be subject to shutoff. Mr. Johnson requested that Section

119 be clarified to specify when any one single account was over the \$300 threshold, that account would receive a shut off notice.

**Ordinances and Resolutions:**

Mr. Coleman introduced Ordinance 2230-11, enacting regulations of computerized internet sweepstakes cafes and declaring an emergency and moved to waive readings. Mr. Ronyak seconded the motion. Roll Call: Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Gerald Rougé – No, Charles Hauser – Yes. Motion failed for lack of five votes to waive. Placed on first reading.

Mr. Coleman introduced Ordinance 2232 – 11, accepting the US Specialty Insurance Program property and liability insurance contract and authorizing the mayor and the fiscal officer to enter into an agreement with Pease Kerr Canfield Agency as agents for US Specialty Insurance Company in an amount not to exceed \$12,813.00 and declaring an emergency. Mr. Coleman moved to waive further readings and Ms. Lillibridge seconded the motion. Roll Call: Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes, Charles Hauser – Yes.

Mr. Coleman moved to adopt Ordinance 2232-11. Mr. Hauser seconded the motion. Roll Call: Jeff Coleman – Yes, Charles Hauser – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes. Ordinance 2232-11 adopted.

Mr. Coleman introduced Resolution 2011-18, 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. Mr. Coleman moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes.

Mr. Coleman moved to adopt Resolution 2011-18. Mr. Ronyak seconded the motion. Roll Call: Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Resolution 2011-18 is adopted.

**Fiscal Officer's Report:**

Mr. Paquette asked for a motion to approve the BPA minutes of 13 September. Mr. Johnston so moved and Mr. Johnson seconded the motion. By voice vote, motion passed.

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Mr. Paquette asked for a motion to accept the minutes of Council from 26 September 2011. Mr. Ronyak moved to accept the minutes of 26 September 2011 and Mr. Hauser seconded the motion. By voice vote motion passed.

Mr. Paquette asked for a motion to pay approved bills from Council. Mr. Coleman so moved. Mr. Ronyak seconded the motion. By voice vote motion passed.

Mr. Paquette asked for a motion to pay approved bills from BPA. Mr. Johnston so moved. Mr. Johnson seconded the motion. By voice vote motion passed.

Mr. Paquette asked for a motion to adopt the minutes of the 4 October 2011 Council meeting. Mr. Ronyak so moved and Mr. Hauser seconded the motion. By voice vote motion passed.

Mr. Paquette had nothing further.

### **Cashiers Report to BPA**

Ms. Dahlhausen ran down the list of delinquent payers and pointed out the following changes: Accounts  
3630 paid \$600                      3470 paid \$300      1105 paid \$31.20. BPA asked her to be invited to the next meeting.

3520 paid off              4030 paid off except penalty  
4464 paid off except for penalty

Mr. Sayre, recently deceased, has multiple accounts that have balances less than \$300.00 BPA discussed the situation of Mr. Sayre's estate and decided to hold off on any action at this point and wait until the next meeting.

The new Utilities truck will be here by the end of the month. Ms. Dahlhausen was asked about the snow plow frame. Ms. Dahlhausen and Mr. Hauser noted Mr. Motil will be pricing out and obtaining a plow frame to fit on this vehicle.

The Planning Commission met today and recommended a piece of legislation concerning zoning of internet gaming in the Village to Council. Council will have to schedule a public hearing on the subject.

Ms. Dahlhausen reported that the Cemetery Board would like to prohibit sandstone monuments in Welton Cemetery. A binder containing pictures

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of the results of Stonehuggers work cleaning and straightening monuments in Welton Cemetery.

### **Engineers Report to BPA**

Mr. Eldridge reported for Mr. Hess. The Wastewater treatment plant blower replacement request for bids will be advertised on 21 and 28 October with bid opening on 8 November. The work on the manholes on West Center starts on Wednesday. And the Cook Goodwin Issue II request to replace water lines and hydrants will be ready for submittal to the State by the end of the week.

### **Operators Report to BPA**

Mr. Eaton was not available to report.

### **Committees**

BPA, Architectural Review and Planning Commission; Mr. Rougé  
Mr. Rougé had nothing to report.

BZA, Board of Review. Mr. Ronyak  
Mr. Ronyak had nothing to report.

Finances, BCPA: Mrs. Lillibridge  
Mrs. Lillibridge had nothing to report.

Trees and Parks, Historic District: Ms. Swaney  
Ms. Swaney was not available to report.

Fire Department and Cemetery: Mr. Coleman  
Mr. Coleman had nothing to report.

Streets and Health District: Mr. Hauser  
Mr. Hauser reported that the street department is preparing for snow removal and leaf pickup.

### **New Business:**

Mr. Coleman commended the Berkshire Boys Golf Team for their performance this season and looked forward to their participation in the State Division II championship Golf tournament against eleven other teams.

Mr. Johnson noted that Utilities Department was in need of a new dewatering pump to replace the existing gas powered unit. Mr. Eaton has suggested purchasing an electric pump and generator. Mr. Johnston agreed this was a good idea. Mr. Johnston moved to allow Mr. Eaton to

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purchase an electric dewatering pump and generator for an amount not to exceed \$1,000. Mr. Johnson seconded the motion. By voice vote motion passed.

Mr. Garner addressed Council to recommend that brush pickup be done away with if a time limit of 5 minutes per home was strictly enforced.

Mayor Blair recognized Mr. John Spisak, a candidate for the position of Zoning Inspector. Mr. Spisak commented on his previous experience as a contractor and on being a citizen of Chesterland now and in the future.

Mr. Coleman moved to enter executive session to discuss personnel issues. Mr. Ronyak seconded the motion. Roll Call: Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Council entered executive session at 8:12 PM.

Mr. Ronyak moved to leave executive session at 8:25 PM. Mr. Coleman seconded the motion. Roll Call: Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes.

Mayor Blair appointed Mr. John Spisak as Zoning Inspector. Mr. Coleman moved to accept the appointment of Mr. Spisak as Zoning Inspector. Mr. Ronyak seconded the motion. Roll Call: Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Motion adopted.

Mayor Blair swore Mr. Spisak in.

Mr. Coleman moved to adjourn and Mr. Ronyak seconded the motion. Meeting adjourned at 8:27 PM.

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Mayor

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Fiscal Officer