

Burton Village Council Meeting
Minutes
July 13, 2020

Visitors: Jennell Dahlhausen, Chip Hess, Dave & Maria Englert, Lowell & Laurie Taylor, Brian Deering, Sharon Moster, Karolyn Squire, Chip Tiber, Ann Wishart.

Mayor Spanos called the meeting to order at 7 PM.

Roll Call:

Alex Hansel – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Cory Brown – Yes, Charles Boehnlein – Yes, Caleb Ferroni – Yes

Minute Approval:

Mr. Boehnlein moved to approve the minutes of June 22, 2020 as written, seconded by Mr. Blair. By voice vote, the motion passed.

Mayors Report

Mayor Spanos had nothing to report.

Standing Committees

Finance, Funding and Personnel Committee – Mr. Boehnlein & Mr. Ferroni had nothing to report.

Police Department Report – Chief Smigelski was not available to report.

Fire Department Report – The Fire Department provided a copy of their report, which was emailed to Council.

Street Committee – Mr. Boehnlein stated Mr. Motil had an accident over the weekend and will be out of work for a while.

Council Reports on Independent Boards and Commissions

Board of Public Affairs – Mr. Hansel stated BPA meets tomorrow.

Board of Zoning Appeals – Mr. Blair had nothing to report.

Cemetery Board – Ms. Richards had nothing to report.

Historic District Architectural Review Board – Mr. Brown had nothing to report.

Planning Commission – Mr. Blair stated the Planning Commission approved lot splits for the Demko and Preston property as well as the High School property, and are recommending a change in zoning to the Preston and Demko properties.

Tree Commission – Ms. Richards stated the Tree Commission met and would like to get the community more involved with their purpose. Ms. Richards reminded Council they still have some openings on the commission.

Chamber of Commerce – Mr. Blair stated the Chamber has not met but is open for business.

Berkshire Community Planning Association – Mr. Brown stated BCPA will hold community meetings concerning the school properties on July 16th and 23rd at 7PM.

Burton Historic District Association – Mr. Brown had nothing to report.

Fiscal Officers Report

Ms. Dahlhausen mentioned some recycling programs the county is providing at the Engineers Office.

Solicitors Report:

Mr. Hicks had nothing to report.

Engineer's Report:

Mr. Hess stated a majority of the water line is installed on Goodwin and we should begin the transfer of service. In the next 2-3 weeks the culvert repair will begin. There was a small change order totaling \$1,400.00 for larger size manholes. Mr. Boehnlein moved to accept the change order for \$1,400.00 for the increased size in manholes, seconded by Mr. Blair. By voice vote, the motion passed.

Council discussed approving up to a certain amount for change orders for the Goodwin Project so Council does not have to meet every time there is a small change order like the one approved this evening. Mr. Boehnlein moved to allow the Mayor or Council President to approve Goodwin Project change orders for up to an aggregate of \$30,000.00, seconded by Mr. Hansel. By voice vote, the motion passed.

Zoning Inspector's Report:

Mr. Gruber was not available to report.

Invoice Approval

Mr. Boehnlein moved to pay approved invoices, seconded by Ms. Richards. By voice vote, the motion passed.

Ordinances and Resolutions

Ms. Spanos placed Ordinance 2383-20 adopting the Tax Budget for Fiscal Year 2021 and declaring an emergency, on third reading. Mr. Boehnlein moved to adopt, seconded by Mr. Blair. Roll Call: Charles Boehnlein – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Alex Hansel – Yes, Cory Brown – Yes, Caleb Ferroni – Yes. Motion passed.

Mayor Spanos placed Resolution 2020-22, requesting assistance through the CARES Act and declaring an emergency, on first reading. Mr. Boehnlein moved to waive readings, seconded by

Mr. Brown. Roll Call: Charles Boehnlein – Yes, Cory Brown – Yes, Bonnie Richards – Yes, Alex Hansel – Yes, Tom Blair – Yes, Caleb Ferroni – Yes. Motion passed.

Mr. Boehnlein moved to adopt, seconded by Mr. Blair. Roll Call: Charles Boehnlein – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Alex Hansel – Yes, Cory Brown – Yes, Caleb Ferroni – Yes. Motion passed.

Mayor Spanos placed Resolution 2020-23, declaring it necessary to levy a tax in excess of the ten-mill limitation for a 3 mill Street Levy and declaring an emergency, on first reading. Mr. Boehnlein moved to waive readings, seconded by Mr. Hansel. Roll Call: Charles Boehnlein – Yes, Alex Hansel – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Cory Brown – Yes, Caleb Ferroni – Yes. Motion passed.

Mr. Boehnlein moved to adopt, seconded by Mr. Hansel. Roll Call: Charles Boehnlein – Yes, Alex Hansel – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Cory Brown – Yes, Caleb Ferroni – Yes. Motion passed.

Mayor Spanos placed Resolution 2020-24, declaring it necessary to levy a tax in excess of the ten-mill limitation for a 2.25 mill Fire Levy and declaring an emergency, on first reading. Mr. Boehnlein moved to waive readings, seconded by Mr. Hansel. Roll Call: Charles Boehnlein – Yes, Alex Hansel – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Cory Brown – Yes, Caleb Ferroni – Yes. Motion passed.

Mr. Boehnlein moved to adopt, seconded by Mr. Hansel. Roll Call: Charles Boehnlein – Yes, Alex Hansel – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Cory Brown – Yes, Caleb Ferroni – Yes. Motion passed.

Mayor Spanos placed Resolution 2020-25, adding the CARES Act Fund (B18) and line items to the Village of Burton Budget Special Funds for the Local Coronavirus Relief Fund provided by the CARES Act and declaring an emergency, on first reading. Mr. Boehnlein moved to waive readings, seconded by Mr. Brown. Roll Call: Charles Boehnlein – Yes, Cory Brown – Yes, Alex Hansel – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Caleb Ferroni – Yes. Motion passed.

Mr. Boehnlein moved to adopt, seconded by Ms. Richards. Roll Call: Charles Boehnlein – Yes, Bonnie Richards – Yes, Alex Hansel – Yes, Tom Blair – Yes, Cory Brown – Yes, Caleb Ferroni – Yes. Motion passed.

Mayor Spanos placed Resolution 2020-26, approving the Fiscal Officer the request an amended Certificate of Appropriations from the County Auditor regarding the CARES Act Fund. Mr. Boehnlein moved to waive readings, seconded by Mr. Brown. Roll Call: Charles Boehnlein – Yes, Cory Brown – Yes, Alex Hansel – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Caleb Ferroni – Yes. Motion passed.

Mr. Boehnlein moved to adopt, seconded by Mr. Brown. Roll Call: Charles Boehnlein – Yes, Cory Brown – Yes, Alex Hansel – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Caleb Ferroni – Yes. Motion passed.

Old Business

Nothing to report.

New Business

Nothing to report.

Open Public Participation

Mr. Taylor stated he is a village resident and is concerned about the new rehabilitation facility that moved into the old Red Maple Inn building on South Cheshire Street. He fears for children in the village and this will lower his property value. Mr. Hicks stated the village has to comply with zoning and hospital use falls within the S-1 Special zoning for this property. It would be illegal for the village to deny a permit that meets zoning or to treat this facility different because it is a rehabilitation center. The Mayor added drug and alcohol use is common and this facility will help people with these issues.

Ms. Englert stated the facility is not in the Mayor or Councils back yard so they do not have to fear for their daughter's safety. Mr. Hansel stated if patients are using they will immediately be removed from the property.

Ms. Taylor asked if homeless shelters are permitted with the current zoning. Mr. Hicks responded they are not a permitted use within the current zoning requirements.

Ms. Squire asked if the patients are court ordered to have treatment at the facility or if they are admitted to the facility on their will. Mr. Hicks said it could be someone convicted of a crime but he is under the impression it is not intended for this purpose.

Mr. Tiber stated someone convicted of a sex crime could be a patient and questioned if they would need to report they will be staying at the facility. Mr. Hicks stated they would be required to register this facility as their address depending on how long they stay. The Mayor added that she researched rehabilitation facilities and has not found any data that shows an increase in crimes within the community where they are located.

Ms. Moster stated she will not be walking around the village as she used to with the new rehab and stated she makes a conscious effort to lock her doors. She added we do not have a real Police Department and we need to make sure we have adequate patrol. She asked Council to put the request on hold and not delay changing permitted uses of properties zoned S-1 Special.

Ms. Moster asked why trees are being removed by Preston west of the village. The Mayor stated this is the property of the proposed Hillside Village independent living facility. A piece of the lot was split off and sold to Preston.

Mr. Boehnlein moved to adjourn, seconded by Mr. Hansel. By voice vote, the motion passed. Meeting adjourned at 8:01 PM.

Fiscal Officer

Mayor/President Pro Tem