

Burton Village Council Meeting
Minutes
September 27, 2021

Visitors: Jennell Dahlhausen, Todd Hicks, Ann Wishart, Brian Doering, Rick Gruber, Jack Garner, Debbie Palmisano, Chuck Weikart, Alison Weeks, Christine & Travis Heltzel, Cindi Boehnlein, Tim & Candice Holland, Justin & Eve Ahrens.

Mayor Spanos called the meeting to order at 7:00 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 September 13, 2021, seconded by Mr. Brown. By voice vote, the motion passed.

Mayors Report

Mayor Spanos attended a Personnel Committee meeting.

Standing Committees

Finance, Funding and Personnel Committee – Mr. Boehnlein & Mr. Ferroni met with the Mayor and Fiscal Officer to discuss possible raises. The village has run into an issue with finding help being that our wages are lower than most places. We are hopeful the position will be more appealing with a small increase while maintaining fiscal responsibility for the village. More information will be forthcoming at the next meeting.

Police Department Report – Chief Smigelski provided his report by email.

Fire Department Report – Chief Wendl was not available to report.

Street Committee – Mr. Hansel stated there is still an open seat for the Street Laborer position and many in house projects have been postponed due to having low staff.

Council Reports on Independent Boards and Commissions

Board of Public Affairs – Mr. Hansel stated Mr. Hess is reviewing a driveway extension the school is planning on Claridon Troy Road that may be over utility lines, as well as an easement for the schools utility lines. Mr. Neill also spoke at the meeting about how well the new WWTP performed during the recent fair, which was difficult with the previous plant in past years.

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 stated the board recently approved a pergola on Kirtland Street.

Planning Commission – Mr. Blair had nothing to report.

Tree Commission – Ms. Palmisano emailed her report and stated she is getting quotes for pruning and removals around the village.

The Arbor Day celebration will be held on October 9th during the Fall Festival. 200 white pine seedlings will be given away.

Chamber of Commerce – Mr. Blair stated the Fire Department was called to the cabin recently. It was determined there may be a small hole in the chimney and they will be addressing the issue. The Fall Festival will be held the second weekend in October.

Berkshire Community Planning Association – Mr. Brown had nothing to report.

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

Fiscal Officers Report

Ms. Dahlhausen has been meeting with department heads about the 2022 Interim Budget and should have something prepared for Council to place on first reading at the next meeting.

The 2019-2020 audit is almost complete.

Solicitors Report:

Mr. Hicks had nothing to report.

Engineers Report:

Mr. Hess was not available to report.

Zoning Inspector's Report:

Mr. Gruber approved permits for a shed, a driveway extension and a pergola. He is also taking care of some unlicensed vehicles on Garden Street.

Invoice Approval

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

Ms. Dahlhausen stated the City of Chardon is requesting a refund in Municipal Court fees in the amount of \$2,490.25. Per the ORC, they are able to charge no more than what the village receives in court fines.

Ordinances and Resolutions

Mayor Spanos placed on first reading, Resolution 2021-20 accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Mr. Boehnlein moved to waive readings, 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.

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.

Old Business

The Historic District Review Board has requested Council enforce a penalty for the house at 13686 West Center Street. The property owner installed a metal roof without a permit. Ms. Weeks stated most of her experiences with an applicant coming before the board it is pleasant, but there have been a few issues in the last few years that came to Council. Ms. Weeks said as a private citizen of the village, she was disappointed that Council did not support decisions the board made and she's hoping for support with this issue.

Ms. Ahrens stated her home was one of the properties that Ms. Weeks spoke about that was appealed to Council when they applied for a permit to install a metal roof on their home and were denied by the Historic District Review Board. When appealed to Council, it was approved. She feels not allowing a property owner trying to maintain their home to install a metal roof is an opinion and disagrees with not allowing it in the Historic District. Ms. Ahrens also asked Council to consider allowing someone to remove their home from the Historic District boundaries.

Ms. Boehnlein read section 159.17 of the Codified Ordinances, which refers to maintenance on homes within the Historic District not requiring a Zoning or Building Permit not needing approval from the Historic District Review Board. She asked Council to reconsider fining or punishing this homeowner for maintaining their home. She also mentioned the district boundaries are poorly chosen and the homeowner in question is across the street from homes that aren't in the Historic District.

Mr. Ahrens stated he has applied for the open position on the Historic District Review Board. He noted the Log Cabin and Fire Department also have metal roofs.

Mr. Weikart stated the issue that is being discussed is not about installing a metal roof, but the fact that the property owner did not obtain a permit and come before the Historic District Review Board as required.

Ms. Holland asked how someone can find out if their home is in the Historic District and what the village sends to the residents to inform them of updates. Mayor Spanos stated the website has the map and ordinance. She said she agrees we can always try new ways to provide information to residents and reminded everyone there are requirements in every municipality.

Ms. Boehnlein stated one of the issues that upsets people within the Historic District is that the rules do not apply to the entire village. She asked if Zoning Regulations apply to all village homes. Mr. Hicks stated the entire village has to comply with zoning rules depending on what district they live in.

Mr. Hicks pointed out that the penalty section of the Historic District section 159 states that the board makes the decision of the fine and if they would like to take legal action. Ms. Weeks stated they are still looking for support from Council. Mr. Hicks will draft a letter to the property owner requesting they attend a Historic District Review Board meeting to discuss the issue with the board.

Council discussed an appointment from the village to the JEDD Board and Cory Brown volunteered to serve. Mr. Hicks will prepare a resolution for Council to approve.

Council discussed a gas line replacement at 14445 Hickox Street. A Mayors Permit was not obtained and there are issues with a piece of curb missing, as well as the sidewalk being improperly replaced. It was decided that Mr. Hicks will draft a letter to the property owner to require that a permit be obtained and everything be repaired properly.

New Business

Council and BPA will hold a joint meeting on October 12, 2021.

Mr. Ahrens has emailed the office with interest in serving on the Historic District Review Board. Ms. Spanos recommended Mr. Ahrens appointment to the Historic District Review Board. Mr. Boehnlein moved to appoint Justin Ahrens as Historic District Review Board Member, seconded by Mr. Brown. Roll Call: Charles Boehnlein – Yes, Cory Brown – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Alex Hansel – Yes, Caleb Ferroni – Yes. Motion passed.

Open Public Participation

Mr. Ferroni stated he received some complaints about the mosquito issue in the village. The Mayor and several other Council members received complaints as well. The Mayor stated this is an off year with the increased number of mosquitos. She recommended that homeowners remove any standing water outside but stated spraying was not budgeted for this year. If available, we might look into a grant for next year but the Mayor suggested that residents contact a pest control company since it is not feasible for us to go on private property either.

Mr. Boehnlein moved to adjourn, seconded by Mr. Brown. By voice vote, the motion passed. Meeting adjourned at 8:10 PM.

Fiscal Officer

Mayor/President Pro Tem