

Burton Village Council Minutes
25 April 2016

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

Roll Call: Charles Boehnlein – Yes, Tom Blair – Yes, Roberta Dobay – Yes, Craig Ronyak – No, Lisa Hernandez – Yes, Charlie Blair – No. Mayor Koster stated that Mr. Ronyak and Mr. C. Blair were excused.

Visitors: Judy Beaumier, Dianne Lillibridge, Marcianne Kimpton, Debbie Palmisano, Joe Kozial, Ann Wishart, Jack Garner, George Hess, Rick Smigelski, Rick Gruber, Jeremy Neill, Curt Johnson, Tim Barber, Todd Hicks.

Mayor Koster asked for a motion to approve or amend the minutes of 11 April 2016. Mr. Boehnlein moved to approve the minutes as written and Mr. T. Blair seconded the motion. By voice vote the motion passed.

Mayor Koster asked for a motion to approve or amend the agenda for 25 April 2016. Mr. Boehnlein moved to approve the agenda and Ms. Dobay seconded the motion. By voice vote the motion passed.

Standing Committees

Long Range Planning Committee – Tom Blair

Mr. T. Blair reported that the committee had not met.

Finance, Funding and Personnel Committee – Charles Boehnlein

Mr. Boehnlein reported that the finance committee had not met. He asked Council to continue to consider ideas to add revenue to the Village. Mr. Boehnlein also noted that he had not heard about any personnel issues.

Safety Committee– Craig Ronyak

Mr. Ronyak was not available to report. Mayor Koster mentioned that a contractor clearing house had inquired with the Village about the plans to construct a fire station. Mayor Koster explained that the Village was not involved with or aware of any specific plans for a new fire station. However, over the last ten years, a new fire station has been discussed.

Street Committee – Roberta Dobay

Ms. Dobay reported that although her new full time employment limited her interaction with Chief Smigelski the flowers for the square were ordered and she would meet with the Chief to go over the triangle contractors. Ms. Dobay noted that Safety and Street Committee overlap. Ms. Dobay requested more direction for the Street Committee.

Council Reports on Boards and Commissions

BPA – Charlie Blair was not available to report. Mayor Koster introduced the members of the Board of Public Affairs. Mayor Koster explained to Council that the members were invited to talk about the wastewater treatment plant (WWTP) and water/sewer rates. Mr. Koster went on to say that he understood the need for recent increases in water and sewer rates. The Mayor indicated that he felt BPA had done a very good job. Mayor Koster also mentioned that he had met with Mr. Hess and Jim Dvorak concerning the Berkshire Kent State School expansion.

Ms. Dobay asked BPA if they had considered the new school in planning for the WWTP expansion. Mrs. Hernandez also asked if the plant was sized to handle the school. Mr. Neill stated that BPA had not heard anything specific about the school yet. Mr. Neill stated that the new plant could accommodate the new school if it is built. Schools normally don't generate a great deal more waste to the system. Mr. Neill explained to Council that the Board had considered potential undeveloped property in the Village and many other factors in the design of the new WWTP. Mr. T. Blair asked if the new WWTP would be new construction or a patch on the old plant. Mr. Neill stated that work could not be done in phases so a total new plant was required. Mr. Neill indicated that this is the most cost effective route to take. The current WWTP is 40 years old and ten years beyond its expected life cycle. It was designed to handle 270,000 gallons of waste per day but now averages 350,000 gallons a day. The major problem is inflow and infiltration, the process where by rain and ground water seep into the sewer system and increase the flow. On dry days the WWTP treats less than the 270,000 gallon rating. Ohio EPA has not told the Village to build a new WWTP, just fix the problems. The new WWTP is designed for 400,000 gallons. The BPA is still considering other efforts to eliminate inflow and infiltration. Lateral connections are a concern.

The new WWTP was expected to cost \$10,000,000 last year and required an annual payment of \$346,000. Current rates would have met that payment. Current projected construction costs are \$12,000,000 including a 5% contingency. The USDA has offered a 30 year loan at 1.75%. The annual payment for \$12,000,000 exceeds the current rate charges ability to pay. However BPA is looking at several water and sewer rate options including adjusting the percentage of the base rate going to water and sewer from 37/63% to 30/70%. Water accounts would not see an actual change other than the way the water and sewer charges are broken out. Mr. Johnson asked Council if they were interested in

going forward this time. Council indicated that they did not receive any opportunity to vote on the last proposal.

Mr. Hicks recommended that BPA vote on whether to move forward with the project at their next meeting and forward a resolution to Council.

BZA and HDA– Charles Boehnlein reported that the Historic District Association had not met. The Board of Zoning Appeals met on 21 April 2016 and decided two variance requests. Preston Auto Group asked for a variance to use property on Rapids Road zoned R-1 (suburban residential) as B-2 (highway business). The Board granted that request. The property will be used for a small office and for the construction of a building not to exceed 5640 square feet. Coffee Corners asked for and received permission to put up a removable fence on the sidewalk fronting their building. The fence will be up from April 1st to November 1st.

The Health District letter sent out by the Village in opposition to proposed State certification requirements received a positive response from Senator Cafaro's office.

Cemetery Board – Roberta Dobay reported that she was unable to attend the Cemetery Board meeting on 20 April and deferred to Mrs. Kimpton. Mrs. Kimpton stated that Century Village was interested in the old Welton Cemetery fence. Mrs. Kimpton asked if Council would make a motion to give the fence to the Century Village. According to Mrs. Kimpton, the Village cannot sell the fence because it was a donation. Mr. Hicks, Chief Smigelski and Ms. Dobay suggested that before the Village gives the fence to the Century Village, we first get a written request from Century Village asking for the fence and explaining what they will use it for. Mayor Koster asked Mrs. Kimpton to inquire with the Century Village for a letter.

Historic District Review Board – Lisa Hernandez reported that the Historic District Review Board met on 14 April and approved the design of the Coffee Corners fence. The Board also approved a stamped patio at Warren's Spirited Kitchen noting that Mr. Bednarek is adjusting the height of the existing single rail fence. Mrs. Durham received permission to replace her privacy fence. The Board has not heard anything from Mr. Finnerty. The Burton Fox Inn court case received a continuance. Mrs. Hauser supplied a marked up copy of the Historic District Ordinance to Council.

Planning Commission – Tom Blair reported that the Planning Commission meeting scheduled for 5 May 2016 has to be rescheduled. The new date will be 12 May 2016 at 6:00 PM at a

location to be determined. Mayor Koster reported to Council that he asked Ms. Pikus to obtain copies of a booklet outlining Township planning and zoning.

Tree Commission – Charlie Blair was unavailable to report. Mayor Koster asked Ms. Palmisano to report. Ms. Palmisano reported that she, Mayor Koster, Ms. Pikus and Ms. Wolfe would be attending the Tree City luncheon in Westlake in May. Mr. Markiewicz received permission to plant a tree on Cook Street. Mr. Lengacher, on East Center, was advised that he is responsible for trimming the branches of a tree that extends over the roadway since the tree is on his property.

Fiscal Officers Report:

Mr. Paquette provided a Summary of Revenue and Expenses to Council. There were no questions. Mr. Paquette reported that the draft 2017 Tax Budget was available electronically. The final version will be provided as soon as the County provides its estimated property tax collections for 2017.

Solicitors Report:

Mr. Hicks had nothing to report.

Police Report:

Chief Smigelski reported to Council for March 2016. There were 97 calls, 32 traffic stops, 4 arrests and 3,394 miles put on the vehicles.

Chief Smigelski also reported on the Street Department. DJL Materials has offered a significantly reduced price for crack sealing materials this year along with free use of their crack sealing equipment. Council agreed that the Street Department should proceed. Chief Smigelski reported that the kingpins on one of the dump trucks needed to be replaced at a cost of approximately \$2000. The best estimate for the work came from Countryside Equipment. Mr. Boehnlein moved to accept the estimate from Countryside Equipment to repair the dump truck. Ms. Dobay seconded the motion. By voice vote the motion passed.

Chief Smigelski also asked Council permission to purchase a striping machine to perform painting of lines and other traffic signs in house. The best quote was from Sherwin Williams for \$3,477.78. Other costs would include stencils for stop bars and handicapped spots. Mr. Boehnlein moved to accept the quote from Sherwin Williams and include costs for stencils. Mr. T. Blair seconded the motion. By voice vote the motion passed.

Chief Smigelski reported that the Street Department assisted with a water main break on Garden Street.

Mayor Koster asked Chief Smigelski to follow up on adding a non-flashing light to the back of the school traffic lights to warn drivers that the school zone is active.

Mayor Koster also mentioned to Chief Smigelski that he would like a member of the Street Department and the Utilities Department to attend the next Geauga Safety Council meeting on May 6th.

Fire Department Report:

The Fire Department was not present to report.

Zoning Inspectors Report:

Mr. Gruber reported that he had forwarded permits for Preston Auto and Coffee Corners to the Board of Zoning Appeals. Mr. Gruber approved the Durham fence and a garage on Goodwin Ave. Mr. Gruber is working with the owner of the former Arnold property to develop a multi family residence. Mr. Freiling has contacted Mr. Gruber with a request to build a garage at Mr. Freiling's residence on Baird Street.

Arborist Report:

Ms. Palmisano provided her report earlier.

Engineers Report:

Mr. Hess had nothing to report.

Mayor Koster asked for a motion to accept and pay approved invoices. Mr. Boehnlein moved to pay the approved invoices. Mr. T. Blair seconded the motion. By voice vote the motion passed.

Ordinances and Resolutions

Mr. Boehnlein moved to accept Ordinance 2298-16, authorizing the Mayor to enter into an agreement with Debbie Palmisano, doing business as Greenwoman Inc., for professional services commencing May 1, 2016 and ending April 30, 2017. Ms. Dobay seconded the motion. Roll Call: Charles Boehnlein – Yes, Roberta Dobay – Yes, Lisa Hernandez – Yes, Tom Blair – Yes. Ordinance 2298-16 is adopted.

Mr. Boehnlein introduced Ordinance 2299-16, restricting on street parking to the north side on Spring Street and the east side on Hickox Street unless otherwise noted. The Ordinance was placed on first reading.

Mayors Report:

Mayor Koster reminded Council that Spring Cleanup is 7 May. Brush Pickup begins 15 May. A group of Senior High School students, along with a student advisor, is passing out a letter offering to assist senior citizens with moving trash out of their homes for the Spring Cleanup. Mayor Koster also

touched on his meeting with Mr. Dvorak and Mr. Hess concerning the potential Berkshire School addition on the Kent State Geauga campus.

Old Business

Mayor Koster noted that Council had received the marked up copy of the Historic District Ordinance Chapter 159. Mayor Koster asked Council to review marked up copy.

The Property Management Ordinance was not discussed.

The WWTP options and funding were discussed earlier in the meeting.

Ms. Dobay asked what the Village could do about hunting too close to residences. It is illegal to discharge a firearm in the Village. However the Village has no authority to stop hunting on property in Burton Township.

Mr. Hicks suggested that Council and the Mayor could send a letter to the City of Akron asking them to address the issue.

Ms. Dobay also asked what could be done about use of electronic engine (jake) breaking in the Village and loud music from vehicles. The Village could pass restrictions on electronic engine breaking however enforcement of loud music and noises is harder without a way to measure the sound.

New Business

No new business was presented to Council

Open Public Participation

Mr. Garner expressed concern that the Council did not appear to request or listen to the desires of Village residents regarding the wastewater treatment plant.

Adjourn

Mr. T. Blair moved to adjourn at 8:34 PM. Mr. Boehnlein seconded the motion. By voice vote the motion passed.

Fiscal Officer

Mayor