

Burton Village Council
Minutes
September 24, 2018

Pledge of Allegiance

Mayor Hernandez called the meeting to order at 7:00 PM

Visitors: Rick Smigelski, Brian Wendl, Jack Garner, Anne Wishart, Rick Gruber, Marcianne Kimpton, Todd Hicks

Roll Call:

Ruth Spanos – Yes, Tom Blair – Yes, Nick Tromba – Yes, Cory Brown – Yes, Bonnie Richards – Yes, Charles Boehnlein – Yes.

Mayor Hernandez asked for a motion to approve or amend the minutes of 10 September 2018. Mr. Boehnlein moved to approve the minutes of September 10. Ms. Richards seconded the motion. Roll Call: Charles Boehnlein – Yes, Bonnie Richards – Yes, Cory Brown – Yes, Tom Blair – Yes, Ruth Spanos – Yes, Nick Tromba -- Yes. Motion passed.

Mayor Hernandez asked for a motion to approve or amend the agenda for 24 September 2018. Mr. Bohlenlein moved to approve the agenda as written and Mr. Brown seconded the motion. Roll Call: Charles Boehnlein – Yes, Cory Brown – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Ruth Spanos – Yes, Nick Tromba - Yes. Motion passed.

Standing Committees

Finance, Funding and Personnel Committee- Mr. Tromba and Ms. Spanos had nothing to report.

Safety Committee – Mr. Brown had nothing to report.

Chief Smigelski made the August 2018 Police Report. There were 105 total calls: 68 second shift; 27 day shift; 10 calls on midnight shift. There was one arrest for OVI; two minor misdemeanor citations; 27 traffic stops and 16 citations. There were 3300 miles put on the patrol cars.

SafetyTown went well; over 50 children signed up.

There are two candidates for the advertised Full Time position. At an earlier Council meeting, Chief Smigelski anticipated interviewing next and getting a list of three candidates for Council to review. However, Chief Smigelski has chosen two candidates to undergo screening and testing; a recommendation will be made at the next council meeting.

Chief Wendl of the Burton Volunteer Fire Department reported to Council that for the month of August there were a total of 80 calls, the Village had 35 calls and they were all EMS. The Fire Department worked at Safety Town with the Police Department.

Chief Wendl then discussed why the siren was not activated during the recent tornado warning for the Village. The current siren is not in working order, and will need extensive work. There is a way to make the siren remote, but it needs work first. The siren needs to be a 3 phase siren. It also needs to be backup generated. The current generator is very old, and probably cannot be repaired. Chief Wendl and his staff have been in touch with a company for pricing. Mayor Hernandez suggested looking into FEMA grants to help defray the costs.

Street Committee – Crack sealing has taken place. Some patching will take place. Plans are being made for snow removal.

Council Reports on Independent Boards and Commissions

Board of Public Affairs- Mr. Boehnlein was unable to attend the recent BPA meeting. Mayor Hernandez asked for a Council volunteer to take over Mr. Boehnlein's duties as Council Representative for BPA, because of a recurring time conflict. Mr. Blair attended the last BPA meeting and was present to report for Mr. Boehnlein. Mr. Blair reported that there have been several requests for bulk water sales. An Ordinance is on tonight's Agenda for the purpose of selling Bulk Water. Cold Harbor has been moving their equipment to the WWTP building site, but nothing further has been done yet. The Board of Public Affairs is considering switching all utility customers from quarterly to monthly billing, to make payments more manageable for utility customers.

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

Cemetery Board – Ms. Richards had nothing to report. Cemetery Board meets again next month.

Historic District Architectural Review Board – Ms. Spanos had nothing to report. Ms. Hernandez noted that the Certified Local Government paperwork was just submitted.

Planning Commission – Mr. Blair reported that the Planning Commission hasn't met except as part of the Strategic Planning Committee. Mayor Hernandez indicated that he is going over the final copy of the Strategic Plan.

Tree Commission – Ms. Richards deferred to Ms. Palmisano for reporting. Ms. Palmisano requested that \$1200 be transferred from the Tree Purchasing fund to Tree Removal fund to pay for stump grinding. Ms. Palmisano had a quote of \$1200 from Roubic Tree that was approved by the Tree Commission. Arbor Day will be celebrated on October 13, and 100 Golden Rain trees will be given away. A Sugar Maple on S. Cheshire needed to come down; this was done by Vallo Tree Service. Ms. Palmisano has been working on the annual tree inventory.

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

Geauga County Fair Board – Mr. Tromba had nothing to report.

Century Village – Ms. Spanos reported that the Apple Butter Festival is coming up.

Chamber of Commerce – Mr. Blair reported that the next Chamber meeting will be held at Kent State for Candidates Night.

Burton Historic District – Ms. Spanos reported that the Historic District will be selling trail bologna and cheese as a fund raiser during OxtoberFest.

Berkshire Board of Education – Mr. Tromba was not able to attend the Board of Education meeting due to a prior commitment.

Special Committee Reports:

Environmental Trash Services: Mr. Tromba reminded all that the Public Hearing to discuss the single hauler trash program is scheduled for 26 September at Kent State Geauga.

Strategic Planning Commission: Mayor Hernandez noted that he is conducting a final review of the Strategic Plan; this Plan will be presented either at a future public hearing or Council meeting.

Fiscal Officers Report:

Mr. Paquette was not present to report.

Solicitors Report:

Mr. Hicks had nothing to report. Ms. Palmisano asked Mr. Hicks to attend a future Tree Commission meeting for the purpose of revamping the Tree Commission Ordinance.

Zoning Inspector's Report:

Mr. Gruber had nothing to report.

Engineer's Report:

Mr. Hess will follow up with Mr. Hajjar regarding the Goodwin Street project.

Motion to Accept and Pay Approved Invoices

Mayor Hernandez asked for a motion to accept and pay approved invoices. Mr. Blair moved to pay approved invoices and Mr. Boehnlein seconded the motion. Roll Call: Tom Blair – Yes; Charles Boehnlein – Yes, Cory Brown – Yes, Bonnie Richards – Yes, Ruth Spanos – Yes, Nick Tromba – Yes. Motion passed.

Ordinances and Resolutions

Mayor Hernandez introduced Resolution 2018–20, A Resolution Authorizing the Selling of Surplus Bulk Water Administered by the Burton Village Board of Public Affairs and Declaring an Emergency, on First Reading.

Motion to Waive: Mr. Boehnlein; second, Mr Blair. Roll Call: Charles Boehnlein, yes; Tom Blair, yes; Cory Brown, yes; Bonnie Richards, yes; Ruth Spanos, yes; Nick Tromba, yes. The motion to waive is approved.

Motion to adopt: Mr. Blair made a motion to adopt; seconded by Mr. Boehnlein. Roll call: Tom Blair, yes; Charles Boehnlein, yes; Cory Brown, yes; Bonnie Richards, yes; Ruth Spanos, yes; Nick Tromba, yes. The Ordinance is adopted.

Mayors Report

Mayor Hernandez reported that the committee meeting between Council members and Chamber members on September 12 was successful, in that there were no new changes on either side to the proposal. The proposal will be discussed in executive session.

Mayor Hernandez reported that Berkshire PRIME is planning to meet every two weeks. They are still in the design phase.

Village email accounts were discussed. Mr. Boehnlein felt that the current use of personal email accounts was adequate. Ms. Spanos does not wish to use her personal email account to conduct Village business. Mr. Hicks agreed that it is common practice for municipalities to provide employees with official emails. Mr. Hicks feels that the concept is a good one, and something to further investigate. Ms. Hernandez reported that the estimated cost per year for email would be \$2400. Mr. Boehnlein felt that that was too high. Ms. Hernandez will ask the County if the Village domain name could be purchased, allowing the Village to find an alternate company to host the email.

The Mayor reported that plans are underway to consider adopting a new logo for the Village. The logo that is presently used is a scanned photograph of the sign leading into the Village. It does not reproduce well, and does not convey a professional image for the Village. Ms. Hernandez proposed asking Karlovec Media to come up with 3 designs for Council to choose from. Mr. Tromba suggested asking Auburn Career Center and Kent State students to design a logo. Ms. Hernandez will reach out to Auburn Career Center and Kent State University.

Old Business

The Fire Department RFP is still not finalized. This will likely be discussed at the next meeting of the BCPA on October 3.

Single Hauler Trash - a public hearing will be held on Wednesday, September 26, at Kent State Geauga campus.

Precision Orthopedic will be hosting a 5K run during the OctoberFest. The police department will provide site support.

New Business

Ms. Palmisano noted that the Tree Commission is down a member, if there is any interest.

Mayor Hernandez opened the meeting to public participation. Mr. Garner noticed that an outdoor camera had been installed on the corner of N. Cheshire Street, on the side of the beauty shop. Mr. Garner wondered if the Village was watching residents. Mr. Garner was assured that the camera was not put up by the Village.

Mr. Garner wondered about the triangle of public land near the former Burton Fox Inn. At the last council meeting, it was mentioned that Mr. Hornak was planning to clean up that area. Mr. Garner wondered if an agreement needed to be entered into between Mr. Hornak and the Village to avoid future issues that might arise from this. Ms. Palmisano noted that she would like to have input on how the piece of property is landscaped.

Mr. Butler asked Mr. Hicks to advise Council regarding a motion for summary judgement, when Council enters Executive Session to discuss the lawsuit involving the Chamber of Commerce and the Log Cabin.

Executive Session:

Mr. Blair made a motion to enter Executive Session at 7:56 pm to discuss personnel issues, namely Fiscal Officer candidates, and to discuss possible litigation with the Chamber of Commerce; seconded by Mr. Brown. Roll

Call: Tom Blair, yes; Cory Brown, yes; Charles Boehnlein, yes; Bonnie Richards, yes; Ruth Spanos, yes; Nick Tromba, yes. Motion passes.

Mr. Blair made a motion to leave Executive Session at 8:15 pm. Seconded by Ms. Spanos. Roll call: Tom Blair, yes; Ruth Spanos, yes; Mr. Boehnlein, yes; Bonnie Richards, yes; Cory Brown, yes; Nick Tromba, yes. Motion passes.

Ms. Spanos made a motion to make an offer of employment to Jennell Dahlhausen for the position of Burton Village Fiscal Officer, at a rate of \$19.00 per hour; Mr. Boehnlein seconded the motion. Roll Call: Ruth Spanos – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Cory Brown – Yes, Bonnie Richards – Yes, Nick Tromba -- Yes. Motion passes.

Mayor Hernandez requested that he be given Ms. Dahlhausen's resume before an offer is made. Mr. Hicks reminded Mayor Hernandez that he abstained from the hiring process. Mayor Hernandez expressed concern about Ms. Dahlhausen's qualifications. Both Mr. Boehnlein and Ms. Spanos felt that the Committee did their due diligence when selecting Ms. Dahlhausen. Mayor Hernandez asked Mr. Hicks if it was up to Council to hire the Fiscal Officer, even though the Fiscal Officer reports to the Mayor. Mr. Hicks stated that Council does hire the Fiscal Officer, even though the Fiscal Officer reports to the Mayor.

A second motion was made to enter Executive Session at 8:19 pm by Mr. Boehnlein, seconded by Mr. Blair to discuss the proposal submitted by the Chamber of Commerce regarding pending litigation. Roll Call: Charles Boehnlein yes; Tom Blair, yes; Cory Brown, yes; Ruth Spanos, yes; Bonnie Richards, yes; Nick Tromba, yes. Motion passes.

A motion was made to leave executive session at 9:02 pm, by Mr. Boehnlein, seconded by Mr. Richards. Roll call: Charles Boehnlein, yes; Bonnie Richards, yes; Ruth Spanos, yes; Nick Tromba, yes; Cory Brown, yes; Tom Blair, yes. Motion passes.

Motion to Adjourn: Ruth Spanos; seconded by Bonnie Richards; by voice vote, the motion passed. The meeting was adjourned at 9:03 pm.

Fiscal Officer

Mayor