

Burton Village Council Meeting
Minutes
December 19, 2022

Visitors: Jennell Dahlhausen, Rick Gruber, Todd Hicks, Charles Tiber, Ann Wishart, David & Maria Englert, Debbie Palmisano, Theresa Phillips, Ken Burnett.

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 – No, Caleb Ferroni – No

Public Hearing for Sewer Rate Increase:

Mr. Hansel moved to open the public hearing for Ordinance 2437-22 to increase sewer rates by 9%, seconded by Ms. Richards. By voice vote, the motion passed. Opened at 7:00 PM.

Mayor Spanos explained this ordinance is on third reading and is recommended after reviewing a 5 year plan.

Mr. Englert asked what the plan is for an increase the following year. Council stated as of now the plan is to increase rates the normal 3%.

Ms. Philips stated she was upset that we are increasing rates being that were listed on the EPA website as the highest rates in the state. Ms. Dahlhausen stated this was looked into and that we are not one of the highest rates in the state. Surrounding communities were also looked into and we are comparable to surrounding communities but residents need to understand we don't have the same revenue as them since Middlefield and Chardon have a lot of industry.

Ms. Richards added she owns a rental in Chardon and her renter pays almost \$20 more for the minimum monthly bill.

Mr. Boehnlein arrived at 7:04 PM.

Mr. Boehnlein stated as a resident, he wanted to express his concern with the increase being 9%. He feels rates should be increased by an additional 3% to the current yearly 3% increase. He feels this would be easier on residents with the rise in inflation.

Mr. Blair and Ms. Richards added the increased costs in chemicals, supplies and contractors are a major concern for the increase.

Being there were no comments or questions, Mr. Brown moved to close the public hearing, seconded by Mr. Blair. By voice vote, the motion passed. Closed at 7:13 PM.

Minute Approval:

Mr. Brown made a spelling correction to a visitor listed in the minutes of the last meeting. Mr. Brown moved to approve the minutes of November 28, 2022, seconded by Mr. Boehnlein. By voice vote, the motion passed.

Mayors Report

Mayor Spanos wished everyone a Happy Holiday.

Standing Committees

Finance, Funding and Personnel Committee – Nothing to report.

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

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

Street Committee – Chief Smigelski was not available to report.

Council Reports on Village and Independent Boards and Commissions

Board of Public Affairs – Ms. Richards stated the water rate increase was approved at the last meeting and the Dean Court Waterline Project is planned for 2023.

Board of Zoning Appeals – Nothing to report.

Cemetery Board – Ms. Richards stated the Wreathes Across America event was held at the cemetery on Saturday.

Historic District Architectural Review Board – Nothing to report.

Planning Commission – Mr. Brown stated the commission approved a lot split for Mary Lambert and Stuart Miller for the Garden Street/Colony Lane properties. There will be an ordinance before Council next month to increase zoning fees. Council will hold a public hearing on January 23rd during the Council meeting.

Tree Commission – Ms. Palmisano presented her report and a revised Tree Work Permit.

Chamber of Commerce – Mr. Blair said Santa is still at the cabin.

JEDD Board – Nothing to report.

Berkshire Community Planning Association – Nothing to report.

Burton Historic District Association – Nothing to report.

Fiscal Officers Report

Mr. Boehnlein moved to open 2023 blanket purchase orders for vendors that invoice the village monthly, quarterly and annually, for emergencies and for uniform allowances, seconded by Ms. Richards. By voice vote, the motion passed.

Ms. Richards moved to pay routine bills for remainder of 2022, seconded by Mr. Boehnlein. By voice vote, the motion passed.

Ms. Dahlhausen stated she has been in contact with Burton Township concerning the 40% of real estate taxes owed to them for the Demko property for 2020 and 2021. Mr. Burnett and Ms. Dahlhausen came up with a formula to figure out how much is owed that was approved by the Trustees at a recent meeting. The formula includes looking up each parcel and looking at the breakdown page on the County Auditors website that shows the percentage that is paid to the village, then splitting that percentage. Mr. Boehnlein moved to approve the formula to split the Demko real estate taxes by checking the percentage listed on the Geauga County Auditors website and splitting that by 40%, seconded by Mr. Brown. By voice vote, the motion passed.

Mr. Boehnlein moved to pay the township \$1,067.92 for 2020 and \$1,102.91 for 2021 real estate taxes per the MOU requirement, seconded by Ms. Richards. By voice vote, the motion passed.

Solicitors Report:

Mr. Hicks had nothing to report.

Engineers Report:

Mr. Hess was not available to report.

Zoning Inspector's Report:

Mr. Gruber received some lot split plans from Lambert and consolidation plans from Preston that were approved.

Invoice Approval

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

Ordinances and Resolutions

Mayor Spanos placed on third reading Ordinance 2436-22 authorizing the Mayor to enter into an agreement with Hess and Associates Engineering, Inc. for professional services commencing March 1, 2023 and ending December 31, 2024. Mr. Hansel moved to table the ordinance, seconded by Mr. Boehnlein. Roll Call: Alex Hansel – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Cory Brown – Yes. Motion passed.

Mayor Spanos placed on third reading Ordinance 2437-22 amending section 302 (a) and 303 (a) of the Board of Public Affairs Rules and Regulations for the Village of Burton and section 925.02 (a) of the Village of Burton Codified Ordinance so as to amend the sewer rates. Mr. Blair moved to adopt, seconded by Ms. Richards. Roll Call: Tom Blair – Yes, Bonnie Richards – Yes, Charles Boehnlein – No, Cory Brown – Yes, Alex Hansel – Yes. Motion passed.

Mayor Spanos placed on first reading Ordinance 2439-22 authorizing the Mayor and Fiscal Officer of the Village of Burton to enter into an agreement with the Burton Volunteer Fire Department, Inc. for Fire and Emergency Services from January 1, 2023

through December 31, 2024 and declaring an emergency. Mr. Boehnlein moved to waive further readings, seconded by Mr. Brown. Roll Call: Charles Boehnlein – Yes, Cory Brown – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Alex Hansel– Yes. Motion passed.

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

Mayor Spanos placed on first reading Resolution 2022-33 requesting Tax Advances for the First Half Real Estate Tax Collection on January 20 and February 17 and the Second Half Real Estate Tax Collection on July 7 and July 21 and declaring an emergency. Mr. Boehnlein moved to waive further readings, seconded by Mr. Blair. Roll Call: Charles Boehnlein – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Cory Brown – Yes, Alex Hansel– Yes. Motion passed.

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

Mayor Spanos placed on first reading Resolution 2022-36 approving the terms of the Subdivision Settlement Participation form in the distributor settlement of the National Opioid Settlement dated July 21, 2021, releasing any and all claims of the village, authorizing the Mayor to execute the participation form on behalf of the village, and declaring an emergency. Mr. Boehnlein moved to waive further readings, seconded by Mr. Blair. Roll Call: Charles Boehnlein – Yes, Tom Blair – Yes, Bonnie Richards – Yes, Cory Brown – Yes, Alex Hansel– Yes. Motion passed.

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

Old Business

Nothing to report.

New Business

Ms. Dahlhausen stated the village has been trying to obtain several easements that aren't in place and one of the easements came to the village with the recent lot split requested by Mary Lambert. This is for an easement over the sewer line located between Garden Street, West Spring Street and Colony Lane. Mr. Boehnlein moved to authorize the Mayor to execute the Lambert easement as presented, seconded by Ms. Richards. By voice vote, the motion passed.

Public Participation

Nothing to report.

Mr. Blair moved to adjourn, seconded by Mr. Brown. By voice vote, the motion passed. Meeting adjourned at 7:38 PM.

Fiscal Officer

Mayor/President Pro Tem