

# THE VILLAGE OF BRADNER COUNCIL

Record of Proceedings

August 3, 2017

## MEMBERS IN ATTENDANCE:

Council President, Ron Roth  
Councilmember, Shawn Hall  
Councilmember, Linda Wildman  
Councilmember, Ray Zaker  
Councilmember, Mike Gudakunst  
Councilmember, Lori Johnston

The Village Council of Bradner, Wood County, Ohio met in regular session on the 3<sup>rd</sup> day of August, 2017 at 7:00pm in the meeting room of the Village Hall. The meeting was called to order by Mayor Virgil Shull and all in attendance were asked to stand for the Pledge of Allegiance to the Flag. Street Commissioner Chuck Ruble, Police Chief Chuck Broshious, Fire Chief James Smith, Solicitor Corey Speweik and Fiscal Officer Kerstan Kaminski were also in attendance. Also in attendance were Guests Tammy Kreais, Marcine Gudakunst, Nicole Leber, Joy O'Donnell, Jerry Houtz and Judy Hagemann.

Ron Roth made a motion to approve minutes of the July 20, 2017 meeting. Mike Gudakunst 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman, Zaker & Gudakunst

Motion Carried

Ron Roth made a motion to approve the minutes of the July 13, 2017 meeting. Mike Gudakunst 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman & Gudakunst

Abstain: Zaker (not present)

Motion Carried

## RECOGNITION OF GUEST(S)

Corey Speweik began the meeting stating that 2 Initiative Petitions were submitted to the Fiscal Officer and are being circulated around town. It has to have a required number of signatures, held in the office for 10 days for public inspection, turned into the Board of Elections and they have up to 10 days to verify the signatures. The BOE will then certify the signatures to the Fiscal Officer to which the Fiscal Officer then certifies the petition back to the BOE. If done in proper timing and deemed constitutional, it will be on the ballot. The Village has nothing to do with it and there is nothing they can do about it. There are statutory duties of the

Village. A certain procedure has to be followed whether the Village agrees with the petition or not and Corey is here to make sure that procedure is followed. He cannot put a stop to any of this, but if the petitions are face defective and/or does not comport with the law, the Fiscal Officer cannot follow the procedure. A resident can petition for anything that a Council can do to exercise its legislative authority following the proper procedures.

Corey stated that if the initiative petition did pass, then a referendum petition could be filed to put the initiative petition on hold until the referendum was voted on. The BOE also has to verify whether it is constitutional. The annexation petition will be turned into the BOE in time, but it depends on the speed of the BOE whether it makes the November ballot.

If an initiative petition is passed, then a referendum could be filed to put the initiative on hold until the referendum is voted on.

Several residents called BOE to get their own information and were told that the annexation petition would not make this November ballot. If there are any lawsuits, Bradner would have to pay. They were also told that the petition has to be posted. Corey verified that it does not have to be posted, but has to be available for inspection for 10 days. The 10 days is not business days. Many inside and outside residents feel there is a personal agenda behind this. Bradner will be faced with the monetary issues and this is driving the community apart. The outside residents live outside for a reason; they don't want to be in city limits and feel Bradner has nothing to offer them. The outside residents also do not get to vote on it since they are not electors of the Village.

Research by one resident showed that about 38 houses would be annexed. 18 houses are on social security or disability. \$225 would be brought in on a \$100,000 house. Also, by doing the replacement fire levies and annexing, this could bring in more money to the Fire Dept. if these pass.

The residents feel Council should do a study to find out exactly what this will cost the Village if this passes.

Council stands with the position that when it was addressed to them before, they voted no. They did not do any type of study since they are not for the annexation. They have not decided what do in the case that it passes. As far as bringing businesses into town, there aren't many businesses in Bradner any longer. Small town pharmacies and stores cannot compare to Walmart, Meijer, etc.

The township is here to represent their residents. They will do whatever they can to back them up.

Jim Smith did comment, after being added to the agenda, on the reasoning for his annexation petition. He received signatures from residents on every street in town. They all read the ordinance and said they want to vote on it. The annexation will bring in income tax and property tax to the Village.

Sanitary Sewers will have to be put in for some residents. This costs about \$156/lineal ft. Also, some residents within 1,000 ft. of a fire hydrant will benefit on their insurance. Bradner is a Class 5 fire rating which determines your rate. Outside, the rating is an 8 or 9. Outside residents pay 50% more surcharge for water, not electric. Res. 1-2017 states outside residents pay \$24.16/unit and inside residents pay \$19.34/unit for water. Jim did this petition so the decision can go before the people. His reasoning is to help the general fund long term. The general fund can only move money within the general fund. The Fire/EMS is not part of the

general fund. Council stated that they would have to vote to transfer money out of the general fund, but there is not enough money to support the general fund as it is.

Council hopes to have answers within the next couple meetings.

**Tammy Kreais:** She would like to know the cost of spraying for mosquitoes. Chuck answered \$700/time. There is no timeframe to wait between sprays but it should only be done in the evening when people are not out.

The Health Dept. gave the Pool a wonderful report.

She wants on the record who the members of the CIC are, when and where their meetings are and why they aren't posted, when the last meeting was, and who keeps the minutes. She has read the bylaws of the CIC and they are a non-profit organization whose meeting and information are open to the public. In 10 years, they have not brought any businesses into town. The money the CIC has was given to them by the Village general fund. She thinks they are putting themselves in a position to loan money to the new fire station fund. There was also a possible lawsuit talked about in February. She would also like to know if she requests it, will she get copies of the minutes. Jim will check with their lawyer.

Jerry Houtz is upset that members of the Village who are also on the CIC are suing the Village.

Corey commented multiple times that Council cannot do anything about this and this Council meeting is not the place for this. It is a citizen initiative and issues should be directed to that person. He would also like to go into Executive Session to discuss current litigation.

AMP Ohio helped develop the CIC. Jim Smith, Rhonda Conley, Ray Zaker, Mike Gudakunst, Virgil Shull, Fred Keith, John Linkey, Tom Amos, and Santos are members. The minutes are kept by the Secretary/Treasurer, Carrie Keppler. They post their meetings in 3 places, one being Town Hall, but have not had a meeting yet this year. The money does not come from the general fund. It is generated from the kilowatt hour tax and comes from the Board. There are projects they would like to move forward with but are waiting to have an income stream again. The CIC currently has around \$81,000. The monthly statement is mailed to the Village but goes directly to Virgil. It is not Village business. 25 acres of property are being used to partner with Real Geese and Les said he would annex.

Regarding the levies, having these done has been talked about for a while now. It was not a surprise. Kerstan made known that the issue that did not get to Corey was regarding the transferring from the Fire and Ambulance funds. It was not about the levies. The minutes are always available for anyone to listen to. There's no way she would miss getting something into the minutes that was voted on.

Marcine agrees a new fire station is needed but there is a lack of firemen. Linda let her know about the 4 firemen that were let go and 3 of them are back. They also have 2 new firemen, one of which is brand new. There is a lack of volunteer firemen everywhere.

## **STREET COMMISSIONER – Chuck Ruble**

Chuck spoke with Hawk Tree Service regarding cutting down some trees around town that are dead. Hawk quoted \$2,450.

Linda Wildman made a motion to approve the quote for \$2,450 from Hawk. Shawn Hall 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman, Zaker & Gudakunst

Motion Carried

The brush pile needs burned. Jerry Houtz wanted to let Council know that they used to burn their brush pile at the cemetery out at Graham and was recently sent a letter from the EPA warning them they are not allowed to do open burning. They could be fined. There is no open burning in Ohio unless agricultural.

Mosquito spraying will be done Sunday and Wednesday and will stay on that schedule as much as he can.

Regarding the Sewer project, more elevations still need to be done. Poggemeyer will send a draft next week of where everything will be.

Most of the street signs are done. He will be working on the stop signs, speed limit signs, etc.

The drinking fountain at the Park is working.

Linda Wildman made a motion to go into Executive Session for Court Action regarding pending litigation at 8:51pm. Ron Roth 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman, Zaker & Gudakunst

Motion Carried

Linda Wildman made a motion to come out of Executive Session at 9:03pm. Ron Roth 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman, Zaker & Gudakunst

Motion Carried

No action being taken at this time.

## **POLICE CHIEF – Chuck Broshious**

There have been 2 issues with the Dodge, a radiator hose blew and a transmission leak. Amos has taken care of both of them.

Joshua Payne has resigned and taken a position in Cleveland. Angelo Jaso has been removed as he has not been showing up.

When officers are brought in, they start as auxiliary until they complete the FTO program. When they are finished, they are promoted to part-time. There are currently a total of 4 officers on payroll, including Chief.

Chuck had an opportunity to upgrade our current blackboard to a smartboard. Smartboards run \$3,000 and he got it for \$75 and would like to donate it to the town. He would then be putting the blackboard on Govdeals.

Linda Wildman made a motion to switch out the blackboard with the smartboard. Shawn Hall 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman, Zaker & Gudakunst

Motion Carried

### **FIRE CHIEF – James Smith**

The Fire truck will be at the Wood County Fair Friday and the Ambulance will be there on Saturday.

The yearly air compressor testing is done and went well.

Greg Warden did call to discuss his commitment to the Fire Dept. on Tuesday night. He will improve his commitment. Out of the 4 letters sent, 3 volunteers have come back. Bruce Miller is not able but will stay in the Firemen's Association. They are trying to bring back lifetime memberships but do not have them at this time.

Linda mentioned that the Fire Dept. does have Standard Operational Procedures and all volunteers do sign it.

## **ORDINANCES & RESOLUTIONS**

### **RESOLUTION 11-2017 (2<sup>nd</sup> Reading)**

A resolution authorizing the execution of remaining requirements energy supply schedule with American Municipal Power, Inc. (AMP)

This resolution is to provide power requirements for 2021-2024.

## **BUSINESS OF THE MAYOR**

He received a letter regarding property owned on Fostoria Rd. where they are applying tree growth to keep the trees down.

A property on Evans is in foreclosure for delinquent land taxes.

## **FISCAL OFFICER – Kerstan Kaminski**

2 companies quoted the Village for property insurance. State Farm was unable due to the Fire/EMS. They will not quote cities/villages/towns with Fire/EMS. There is too much risk. Burnham & Flower could not quote due do them also being in a PEP program along with USI Insurance who did quote. The quotes are a difference of \$11 with USI being less. However, Hylant (Ohio Plan) gives more of a credit for each year the Village is with them.

Linda Wildman made a motion to stay with Ohio Plan. Mike Gudakunst 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman, Zaker & Gudakunst

Motion Carried

IGS Energy would also like to send out their 6 month letter to Bradner residents regarding the natural gas program. The price residents can lock in at is \$.51/ccf. Residents have to opt out if they do not want to be in the program.

Linda Wildman made a motion to have IGS send out the letter. Shawn Hall 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman, Zaker & Gudakunst

Motion Carried

June financials are done.

WSOS offered to pay for a lifeguard's wages. Their household income has to be in a certain range to be eligible. One lifeguard is eligible. This will either be her last check or her next check.

Tammy noted that a lifeguard did resign and gave one week notice. She was a returning lifeguard.

Kerstan asked about moving the office for Liza. Chuck and maybe John will help move the office around however she needs. Kerstan will also get the job duties from Liza so that her position can be posted.

## **CLAIM ORDINANCE 15-2017VC**

Ron Roth made a motion to pay Claim Ordinance 15-2017VC. Shawn Hall 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman, Zaker & Gudakunst

Motion Carried

## **COUNCIL COMMITTEES**

None

## **OLD BUSINESS**

None

## **NEW BUSINESS**

Mike Gudakunst would like permission to put up the temporary fence in the parking lot of Mad Dawg's for the August 12<sup>th</sup> golf outing.

Linda Wildman made a motion to approve the fencing with no charge. Ray Zaker 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman & Zaker

Abstain: Gudakunst

Motion Carried

**EXECUTIVE SESSION:** Personnel: ORC 121.22 (G) (1)

Appointment, employment, dismissal, discipline, promotion, demotion, compensation of a public employee or official, or the Investigation of charges or complaints against a public employee, Licensee or regulated individual.

Property: ORC 121.22 (G) (2)

Court Action: ORC 121.22 (G)

None

With no further business, Linda Wildman made a motion to adjourn at 9:32pm. Shawn Hall 2<sup>nd</sup>.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman, Zaker & Gudakunst

Motion Carried

Meeting adjourned at 9:32pm.

ATTEST: *Kerstan Kaminski*  
Kerstan Kaminski, Fiscal Officer

Approved: 8/17/2017

SIGNED: *Virgil Shull*  
Mayor: Virgil Shull

SIGNED: *Ron Roth*  
President: Ron Roth