

THE VILLAGE OF BRADNER COUNCIL

Record of Proceedings

May 19, 2016

MEMBERS IN ATTENDANCE:

Council President, Linda Wildman

Councilmember, Shawn Hall

Councilmember, Ron Roth

Councilmember, Lori Johnston

Councilmember, Ray Zaker

Councilmember, Mike Gudakunst

The Village Council of Bradner, Wood County, Ohio met in regular session on the 19th day of May, 2016 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, Fiscal Officer Kerstan Kaminski, Solicitor Corey Speweik and Guests Ruth Babel-Smith, Jerry Drake, Doug Markel, Corinna Mondle, Joy O'Donnell and Chris & Michelle Lahman were also in attendance.

Linda Wildman made a motion to approve the minutes of May 5, 2016 meeting. Shawn Hall 2nd.

Roll Call:

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

Motion Carried

RECOGNITION OF GUEST(S)

Jerry Drake-Albert Bowe : The American Legion Post would like to present a check of \$2,000 for the maintenance of the swimming pool so the kids have it this summer.

Doug Markel- Methodist Church: They are having their annual mission car show May 28th from 8-3 and would like to park in the street on Lightner from East to the alley. They will not block the alleys and there aren't any houses there. Chuck Ruble will put up barricades.

Linda Wildman made a motion to approve parking in the street for the car show. Mike Gudakunst 2nd.

Roll Call:

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

Motion Carried

Joy O'Donnell: She knows the Village is looking into annexation and wondered if they heard back regarding the analysis and what it will cost. Kerstan responded that she heard back from Roberta with RCAP and the only studies they do for free are for water and sewer. However, although they have not done this type of study before, they could do it for \$80/hour, not to exceed \$6,400 or 80 hours. It may be less, but they want to make sure they cover their costs.

Joy contacted the auditor's office to get some numbers on property taxes, looked up the information online; it only took 1 ½ hours. She also provided a handout with the information she collected. Her numbers show approximately \$19,590 per year increase.

Linda added that the Council does understand that they do not want to be annexed in. As of this time, Council is just looking into what kind of revenue it would bring in to see if it's worth it. At the time they are going to make their decision, the meeting will be posted.

Ruth Babel-Smith: She is running for sheriff in the upcoming election. She has been going to as many meetings as she can to introduce herself. Her qualifications are she is a retired deputy sheriff of Wood County of 20 years, she is an instructor at Owens in the basic police academy, she has a Masters in Criminal Justice and presently working on her Doctorate and she's worked for 3 sheriffs. She lives in Bowling Green. She would like public safety and equal benefits for all and to promote a positive change.

Corinna Mondle: Her son is having a graduation party and a band at the party. She knows there is a noise ordinance and the band will be stopping at 11pm. She wanted to notify the Village to prevent any issues since she has problems with her neighbor in the past and it was before 11pm. She is on the corner of Crocker and Evans. Corey commented that the noise ordinance is subject to interpretation but if they within bounds, they should be ok.

STREET COMMISSIONER - Chuck Ruble

The chipping is done and took 4 days. Some residents have already put more brush back out and are still mowing grass into the streets. Virgil added that if the officers see this, they are to stop and tell them to clean it up.

Chuck added stone to W. Parklane and graded it. He has been mowing in between the rain.

Chuck ordered carpet and the posts for the park.

The Village received 2 bids for the wood pile. Shawn Stiger bid \$25.80 and Mike Filhart bid \$40.00.

Linda Wildman made a motion to accept Mike Filhart's bid of \$40 for the wood pile. Ron Roth 2nd.

Roll Call:

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

Motion Carried

Mike asked about a couple of areas that residents asked about that need stone. He did tell them it's only May and Chuck will get to it. Chuck said that he's going to do them all at once when he gets the stone. St. Clair and W. Parklane are the only stone streets.

Chuck will also be off tomorrow.

POLICE CHIEF – Chuck Broshious

The Police received a grant for a new laser for speed and for accidents to measure distance. It's around \$2,000 and should be in in a couple weeks.

Linda said she would like to thank the police for coming to the church. The ceremony was wonderful. Chris Lahman said Amy would like to do one for the Fire and EMS too, probably in October.

FIRE CHIEF - Jim Smith

At the last meeting the Council asked about grants for the replacement of the air tanks. There are grants that are available are they are open starting the 1st of December through December. Linda asked how much. Jim Smith said he's guessing \$60,000. It's the same grant they received to get the first bunch of air tanks.

The electric cot came in yesterday. They are sending the squad to get it wired in. They will get the other cot in June or July. The ambulance will be out of service for 3 days.

ORDINANCES & RESOLUTIONS

None

BUSINESS OF THE MAYOR

The Village has received 2 requests regarding penalties and interest on Bradner income tax. One was sent by the CCA stating that the auditor has no opinion on paying the tax only. The person is able to pay the principal via credit card without penalty and interest or installments with all penalties and interest. The other is asking forgiveness. They never received paperwork regarding the taxes. When having 2015 taxes prepared, they were told they owe 2013 and 2014 for local taxes. They paid in full for both years. They then received paperwork in the mail they owe more, tried to call the number and were told they have to contact the Village. They just had 2016 taxes done and saw the CCA, wrote a check in full and told they didn't have to pay the

penalty and to ask forgiveness. The penalty is \$169. Linda commented that she doesn't think they should be forgiven if it hasn't been done before. It was mentioned that this is Cleveland's mistake and Corey asked why. Chris Lahman commented that the CCA came to a meeting and told Council one of their services is to collect on back taxes and they look for federal returns for Bradner residents to make sure they are filing and paying Bradner tax.

Linda Wildman made a motion not to forgive the penalties and interest. Ron Roth 2nd.

Roll Call:

Yes: Hall, Roth, Wildman & Shull

Abstain: Johnston, Zaker & Gudakunst

Motion Carried

Virgil asked if anyone is going to the Mayor's Association meeting. No one will be going this time.

Keystone Foods in West Chester, PA sent a letter regarding a tax issue. Someone works there and owes taxes to Bradner. The Village should be getting a check from them soon.

Regarding the sign for the Community Improvement Corp (CIC), Corey advised that it can't be changed to a commercial property since there aren't any other commercial properties around it. He suggests a special use permit. Corey stated the Village basically has 3 options. One is a special use permit and would fall under semi-public activity. The CIC is a semi-public entity. If the Zoning Board brings it to Council, a 4-2 vote will be needed. Option 2 is to say yes since the zoning ordinance doesn't state it clearly. Option 3 is to say no and that the zoning ordinance prohibits it. Option 2 & 3 are due to the zoning ordinance book not stating the rules clearly. Corey does not recommend Option 2 or 3. Option 2 leaves the possibility that anyone in the Village can try to get a special use permit and put a sign up anywhere for any reason. Option 3 gives the CIC the chance to sue the Village and per his experience, they will probably win due to the vagueness of the ordinance.

Virgil asked how many letters were sent, only 2 residents showed. Kerstan sent 11 letters. He let them know there won't be a hearing but they did express their concern which was the brightness at night. The sign can be dimmed down at night.

Several people voiced their concerns that no one in town knows what the CIC is, where they meet, when their meetings are or where they get their money from. The meetings are supposed to be open to the public, but the only people who find out about it are members of the CIC. The CIC is separate from the Village as well. The purpose of the CIC is to bring in businesses. Chris Lahman asked how this sign is going to bring in businesses and why it can't be sent on something better. There's a sign in front of the Fire Station and a website that is never used. The money sat in their account for the last 10 years and is being used for this and now they're going to ask for more money. Michelle Lahman commented she knows that the Village needs to have businesses but so far, it hasn't worked. There are young families moving into this town. It needs to be a nice place to live. The residential part should be focused on to make the community nicer. The Village has a responsibility to the residents of the town and they are not seeing any return on their money. Lori Johnston went to a CIC meeting and suggested using the money on something such as a convenient store. It would bring revenue back to them and to the town. She felt they had no interest in her idea or even considered it at all.

Corey stated that from a zoning perspective, he would hate to see the village say no or just yes to the sign. The special use permit would be the best idea. The request has to come from the Planning Commission and recommended to the Council. If Council denies it, they could take the Village to court and the Village will probably lose. Also, Council cannot deny this based on the way the CIC is using their money. This just invites a lawsuit as well. With a special use permit, the Village can give special parameters to follow. The sign ordinance permits internally lighted signs, but can't have movement, flashing or blinking. The size limit is 32 square feet per sign face, which the proposed sign would fit within the requirements. The special use permit will give the most control.

The Planning Commission will have a meeting first and then bring the request to Council for recommendation.

The Planning Commission would like to vacate the alley that runs North and South between Euclid and Timmons but the Board would like to maintain the easement. The alley used to have electric poles and be used for electric runs but the poles have been removed now. Corey would like to check with the Wood County Commissioners to see where the easement is before a decision is made.

The Park Board met last night. The last ordinance for the pool wages and admission prices Virgil could find was 12-2013, which stated the Pool Manager made \$400/week for a minimum of 40 hours per week, Head Lifeguard made \$7.85 and Lifeguard made \$7.85. Minimum wage is now \$8.10. Each returning employee receives \$.10 raise each year they return. The pool prices are going to be changed back to what they were before. They were only changed last year due to the pool opening late. The prices will be for a resident: Family of 6 or less \$165 with each additional at \$20, single \$75, senior \$45 and daily \$3. Prices for non-resident: Family of 6 or less \$175 with each additional at \$20, single \$80, senior \$50 and daily \$3. Pool rental fees: 1-30 people \$40/hour, 31-75 people \$80/hour, 76-125 people \$120/hour and 126 or more people is subject to refusal. There will no longer be a 10 day pass.

Ron asked about the age limit for a lifeguard. Kerstan said Trina told her it is 15 ½ for Red Cross certification and 16 for YMCA.

Linda Wildman made a motion to change the pool membership/admission prices. Lori Johnston 2nd.

Roll Call:

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

Motion Carried

FISCAL OFFICER – Kerstan Kaminski

Kerstan contacted the Fiscal Officer for the Village of Luckey to get her input on ohiocheckbook.com. They've only used it for 2 weeks now but they like it so far, very useful and the process is fairly painless.

Linda Wildman made a motion to use ohiocheckbook.com. Ron Roth 2nd.

Roll Call:

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

Motion Carried

Kerstan previously gave handouts with information from CompManagement, which would replace Sheakley. CompManagement costs \$245 and they pay for the Ohio Municipal League fee of \$345. Sheakley costs \$600 and the Village still has to pay \$345 to Ohio Municipal League. CompManagement also represents the Village in all Workers Comp cases.

Linda Wildman made a motion to go with CompManagement. Ron Roth 2nd.

Roll Call:

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

Motion Carried

CLAIM ORDINANCE 10-2016VC

Ron Roth made a motion to pay Claim Ordinance 10-2016VC. Shawn Hall 2nd.

Roll Call:

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

Motion Carried

COUNCIL COMMITTEES

None

OLD BUSINESS

None

NEW BUSINESS

Redoing the curb on Main Street is going to cost \$35,000 per side, per section (Lightner to Crocker, Lightner to Caldwell) and will add 2 ½ feet per side. If it's any wider, too many trees would be lost. With only 2 ½ feet, only one tree will have to be cut down. The rolling curb seems to be the best idea. The Board will pay for the curb on the side where the waterline is being replaced and Storm Sewer Capital will fund the opposite curb. Chris Lahman was concerned about paying \$35,000 for a curb when on one block when it was said earlier that the road of East Parklane needs replaced and West Parklane needs put in. Virgil explained that different funds are used for those projects and since Main Street is already going to be torn up, now is the time to do it and it will be cheaper. Blacktop is extra over the \$35,000. The Village will probably just borrow it from themselves for the blacktop like they did last time.

Virgil said they should get an answer in June about the Douglas Road project.

Kerstan agreed to do the taxes next year instead of having the CCA do them. She was asked to send a letter to the CCA to notify them.

Linda Wildman made a motion to have Kerstan send the letter to the CCA to terminate their services. Ray Zaker 2nd.

Roll Call:

Yes: Hall, Johnston, Roth, Wildman, Zaker & 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 9:19pm. Shawn Hall 2nd.

Roll Call:

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

Motion Carried

Meeting adjourned at 9:19pm.

ATTEST: *Kerstan Kaminski*

Kerstan Kaminski, Fiscal Officer

SIGNED: *Virgil Shull*

Mayor: Virgil Shull

Approved: 6/2/2016

SIGNED: *Linda Wildman*

President: Linda Wildman