

The Village of Brainard

April 18, 2005 - 7:30 P.M. at City Hall

The Board of Trustees of the Village of Brainard held a regular meeting on April 18, 2005 at 7:30 P.M. at the City Hall. Board members present were: Greg Janak, Alan Snyder, Leon Jakub, Elaine Fortik, and Greg Havlovic. Also, in attendance were: Village officers: Utilities Supt. Jason Bohac and Village Clerk-Treasurer Robin Sullivan. Visitors were: John Bongers, Steve Hummel, Jerry Swanda, Brian Foral, Scott Foral, Glen Bouc and Jeena Barlean.

Notice of the meeting and the agenda were transmitted to all members of the Board of Trustees. The meeting notice and agenda were posted at the City Hall bulletin board and the Community bulletin board. Notice of the meeting and location of the agenda were posted at the Post Office. This method is designated by the public body. Copies of the posting and agenda are attached to these minutes. The minutes are subject to Board approval or correction.

Chairman Greg Janak called the meeting to order with the reading of the agenda.

Visitor Jeena Barleene with The Butler County Development Alliance discussed with the Board of Trustees what her organization is doing for the Butler County area. Some of the things mentioned would be to promote tourism and community marketing. Jeena also mentioned that The Butler County Development Alliance would help promote new businesses and help keep the already established businesses alive. This would be done by the Alliance finding funding for businesses.

Jeena mentioned that she is helping with a tour of Butler County. This tour would be coming through the Brainard area.

Continuing Business:

Consideration of Garbage Service: Utilities Supt. Jason Bohac gave an over view of his discussion with the Garbage Company of David City. The Garbage Company would be submitting a contract to the Village. They would offer a three-year contract:

A residential rate of \$8.75 with use of a container

A residential rate of \$7.00 without use of a container

Block house would receive a free container

The Village would receive the lower cost of garbage collection but would not pass the negotiated rate onto the residents of Brainard. This would help recoup clerical, administrative, and the cost for special activities that require garbage collection.

Permits: Building - Lee Lorentzen

The Building Permit Committee had viewed the area and felt that everything looked fine. Lee would be building a single car garage for storage at his residence.

Greg Havlovic made the motion, seconded by Leon Jakub to approve the building permit application for Lee Lorentzen.

Voting aye: Janak, Jakub, Havlovic, Snyder, and Fortik

Voting nay: none

The motion carried

Building Permit - Steve Hummel

Steve Hummel and the Board of Trustees discussed the building permit application details. Steve would be building a home on the south west corner of Sherman and Adams Street. (Lots 1-6, Block 6, Cottrell's Addition)

Discussion was made on where the home would be built and the set back dimension from the street. The Board felt that Steve would need a variance to proceed with building plans. Steve would submit a variance application and attend the next Board meeting on May 16, 2005.

Building Permit - John Bongers

Building Permit Committee had viewed the area where John would be moving in the two homes. Each home would be placed on a single lot. The lots are located North of Logan Street. (Lots 1 and 2, Block 3 a part of Tax Lot 4).

Greg Havlovic made the motion, seconded by Elaine Fortik to approve the building permit requested by John Bongers for Lot 1.

Voting aye: Janak, Jakub, Havlovic, Snyder, Fortik

Voting nay: none

The motion carried

Greg Havlovic made the motion, seconded by Alan Snyder to approve the building permit requested by John Bongers for Lot 2.

Voting aye: Janak, Jakub, Havlovic, Snyder, Fortik

Voting nay: none

The motion carried

New Business:

Street Abandonment:

Jerry Swanda made a request that South Sherman Street be abandoned. Chairman Janak asked the Board of Trustees how they felt about this matter. It was mentioned that the Planning Commission had reviewed the abandonment of South Sherman Street and voted for the abandonment of this area. Planning Commission Chairman Dave Struebing had also visited with each Planning Commission member and 2/3 of the members were in favor for the abandonment of South Sherman Street.

Board members discussed this matter and it was mentioned that maybe this could lead to additional residence wanting this same request. Board member Elaine Fortik mentioned that she felt that the Planning Commission should take another look at this matter and that Orval Stahr should look at this matter also. Board member Alan Snyder mentioned that the street abandonment would be a good idea for the fact that it would cost the Village a great deal of money to provide a paved street at this location. Additional views were that this street goes nowhere and did not see any use for it in the future. Board member Elaine Fortik mentioned that she was concerned about the perception of other property owners in Brainard and how they may feel having this land given to a resident. Elaine mentioned that she had received feedback from some Village residents and felt that street abandonments were not a popular thing to do in Brainard. Elaine recalled also that she thought this to be the fifth request for street abandonment in the west part of Brainard. Board member Elaine Fortik also informed the Board of a Bill to be passed in the legislature this fall that would allow villages to be able to sell property to residents as an option instead of abandonment of the property. Chairman Janak asked the Board

again how they would like to handle this matter. Board member Alan Snyder mentioned he would like to see some action taken.

Greg Havlovic made the motion, seconded by Alan Snyder to grant permission that the South 300 feet of Sherman Street, between blocks Three and Six of Cottrell's Addition, be abandoned.

Voting aye: Janak, Jakub, Snyder, and Havlovic

Voting nay: Fortik

The motion carried

Clerk Sullivan presented and read aloud **Ordinance No. 2005-239** - Vacation of the South 300 feet of Sherman Street, between blocks Three and Six of Cottrell's Addition.

Alan Snyder made the motion, seconded by Greg Havlovic to pass and approve Ordinance No. 2005-239 (Vacation of the South 300 feet of Sherman Street, between blocks Three and Six of Cottrell's Addition.)

Voting aye: Janak, Jakub, Snyder, and Havlovic

Voting nay: Fortik

The motion carried

Alan Snyder made the motion, seconded by Leon Jakub to suspend the three readings or Ordinance No. 2005-239 (Vacation of South Sherman Street).

Voting aye: Janak, Jakub, Snyder, and Havlovic

Voting nay: Fortik

The motion carried

Review of Minutes:

Elaine Fortik made the motion, seconded by Allan Snyder to approve the March 21, 2005 Minutes.

Voting aye: Janak, Jakub, Fortik, and Snyder

Abstained: Greg Havlovic

Voting nay: none

The March 21, 2005 minutes were approved.

Leon Jakub made the motion, seconded by Greg Havlovic to approve the April 5, 2005 minutes.

Voting aye: Janak, Jakub, Havlovic, Fortik, and Snyder

Voting nay: none

The April 5, 2005 minutes were approved.

Consideration of Claims:

Alan Snyder made the motion, seconded by Greg Havlovic to pay all claims submitted.

Voting aye: Janak, Jakub, Havlovic, Fortik, and Snyder

Voting nay: none

The claims were approved

Introduction and Consideration of Ordinances and Resolutions:

ORDINANCE NO 2005-236

Chairman Janak read aloud the final reading of **Ordinance No. 2005-236** (Annexation of property to the Village of Brainard).

ORDINANCE NO 2005-237

Board member Elaine Fortik read aloud **Ordinance No. 2005-237** (Creation of Street Improvement District No. 2005-1)

Alan Snyder made the motion, seconded by Elaine Fortik to adopt Ordinance No.2005-237.

Voting aye: Janak, Jakub, Havlovic, Snyder, and Fortik

Voting nay: none

The motion carried

Elaine Fortik made the motion, seconded by Alan Snyder to suspended the three readings of Ordinance No. 2005-237

Voting aye: Janak, Jakub, Havlovic, Snyder, and Fortik

Voting nay: none

The motion carried

RESOLUTION NO 4/2005-2

Board member Alan Snyder read aloud **Resolution No. 4/2005-2**

Alan Snyder made the motion, seconded by Greg Havlovic to adopt resolution No. 4/2005-2 (to establish the hearing date for Creation of Street Improvement District No. 2005-1 on May 16, 2005 at 7:30 P.M.)

Voting aye: Janak, Jakub, Havlovic, Snyder, and Fortik

Voting nay: none

The motion carried

RESOLUTION NO 4/2005-3

Board member Greg Havlovic read aloud **Resolution 4/2005-3** (Reimbursement of expenditures made by the Village for the purpose of providing funds for the construction of paving improvements in Street Improvement District No. 2005-1 and providing funds for the construction of water and sewer improvements within the Village.)

Elaine Fortik made the motion, seconded by Greg Havlovic to adopt resolution No. 4/2005-3.

Voting aye: Janak, Jakub, Snyder Havlovic, and Fortik

Voting nay: none

The motion carried

ORDINANCE NO. 2005-238

Board member Leon Jakub read aloud **Ordinance No. 2005-238** (Creation of Water Extension District for proposed Foral's Addition).

Elaine Fortik made the motion, seconded by Alan Snyder to adopt Ordinance No. 2005-238 (Creation of Water Extension District for proposed Foral's Addition)

Voting aye: Janak, Jakub, Havlovic, Snyder, and Fortik

Voting nay: none

The motion carried

Greg Havlovic made the motion, seconded by Elaine Fortik to suspend the three readings of Ordinance No. 2005-238.

Voting aye: Janak, Jakub, Havlovic, Snyder, and Fortik

Voting nay: none

The motion carried

ORDINANCE NO. 2005-240

Utilities Supt. Jason Bohac read aloud **Ordinance No. 2005-240** (Creation of Sewer District for proposed Foral's Addition).

Leon Jakub made the motion, seconded by Alan Snyder to adopt Ordinance No. 2005-240 (Creation of Sewer District for Foral's Addition).

Voting aye: Janak, Jakub, Havlovic, Snyder, and Fortik

Voting nay: none

The motion carried

Alan Snyder made the motion, seconded by Elaine Fortik to suspend the three readings of Ordinance No. 2005-240.

Voting aye: Janak, Jakub, Havlovic, Snyder, and Fortik

Voting nay: none

The motion carried

Reports of Standing Committees and Special Committees:

The Board of Trustees reviewed Glen Bouc's application for Brainard's Activities Director. The Board also reviewed G & D Enterprises Contract for vending services. After review and discussion:

Alan Snyder made the motion, seconded by Greg Havlovic to hire Glen Bouc as Brainard's Activities Director for 2005 and to accept the contract with G & D Enterprises.

Voting aye: Janak, Jakub, Havlovic, Snyder, and Fortik

Voting nay: none

The motion carried

Mr. Bouc mentioned to the Board of Trustees that the ball field was possible in need of some new items. The Board discussed getting new bases.

Water, Sewer, and Electric

Utilities Supt. Jason Bohac reported that he had added sodium nitrate to the lagoon and had been circulating the water in the lagoon.

Streets, Parks, and Pools

Alan Snyder reported to the Board that the concrete is breaking up on South Lincoln Street. Jason Bohac mentioned that he would try to schedule these areas to be repaired with conjunction with the Novak Street Project. Alan reported that Jason had already started cleaning the pool and getting things ready for the summer season. Jason mentioned he may have found the leak at the pool. Discussion was made about the large tree stump at Evergreen Park and what could be done about it. Alan also mentioned that he had received comments from residence in town about

abandoned vehicles parked at several residences. Clerk Sullivan was asked to send letters reminding residence of the village codes and ordinances.

It was also mentioned that the local Girl Scouts were looking for an area in town to build a small brick project.

The Board of Trustees also mentioned that it is time to look into replacing some of the trees around town. Chairman Janak asked that the Tree Board Committee start looking into this matter.

Reports of Officers and Employees:

Utilities Supt. Jason Bohac reported of pumping the lagoon, cleaning the block house, getting mowers ready, cleaning at the pool, cleaning up the tree pile, started preparing Cleveland Street for water shut offs, worked on delinquent utility bills, and working on other routine duties.

Clerk Sullivan handed out the monthly financial report and past due utility report. Clerk Sullivan reported of doing routine duties and getting things switched over to the new accounting system. Clerk Sullivan also mentioned she had been working on completing the quarterly reports. Clerk Sullivan reported that past due utility notices had been sent out and it was time to send out shut off notices.

Chairman Janak adjourned the meeting at 11:13 P.M.

Greg Janak _____
Chairman of the Board

Robin Sullivan _____
Village Clerk