

## Regular Meeting of Bethesda Village Council

July 23, 2020

Mayor Samantha Burkhead called the meeting to order, Samantha led the Pledge of Allegiance.

### Roll Call

Present: Mayor Samantha Burkhead, Administrator Dirk Davis, Solicitor Jeffrey Menoski, Fiscal Officer Ricky Burkhead, Ruth Saffell, Jay Van Horn, Jordan Castello, Rod Miller, Cindy Foose, Carol Merritt

Absent:

### Guest(s)

Stephanie Castello, Pete Busack, Phil Castello, Fred Thompson, Brenda Russell, Linda Grub, Rob Orr, Tim Orr, Lonna Orr, Chuck Little, Robert Defrank, Dick Quinlin, Bill Cox

### Reports

The Fiscal Officer E-Mailed Fund Status, Cash Summary by Fund, Fund Ledger, Payroll, Receipt Register & YTD Appropriation status reports to Council Members, Administrator, Fire Chief & Mayor. Cindy Foose made a motion to approve the July 8th, seconded by Rod Miller, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes.

### Regular Council Meeting Minutes

Mayor Samantha Burkhead presented a letter to council from Erin Russell. Erin was not able to be here tonight but the letter is available to review. Erin was asking questions regarding the opening of the alley that runs parallel to North Main Street. Dirk stated that all plotted alleys are open except the ones that do not show up on the maps. Dirk stated that the alley in question is not a closed alley. Dirk stated that there are about six miles of alleys that are maintained in the village and another 7-8 miles that are open but not maintained. Dirk stated that the alleys were set up in 1910. Dirk stated that these alleys were made for people to have access to the backside of their houses. Dirk stated that many of these alleys have sewer lines that run down them. Dirk stated that people who live in an area where there is an alley behind their house have a right to ask the town to open and maintain the alley. Dirk stated that he was asked to open the alley for use. Dirk apologized for not letter the area residents know in advance that work was going to be done on the alley. Dirk stated that Mr. Stiles asked to have access to the back of the property. Jeff stated that the alley is village property until the alley is vacated. Jeff stated that if an alley were vacated that the property would be split in two between the two adjacent property owners. Dirk stated that when Mr. Braido put his housing development in, we did not open the alley to let him get to his housing development. Brenda Russell asked how wide the alley is. Dirk stated that the alley is 12 feet wide because that's how they were laid out when they were formed. Brenda stated that she didn't realize the alleys were that wide. Dirk stated that we will be accessing if we pave or stone it. Dirk stated that he is working on getting alleys with hills on them paved, or at least chipped and sealed. Brenda asked if there will be storm drains. Dirk stated that we will be putting in drains. Brenda stated that the home owners should have been notified ahead of time. Dirk agreed and apologized to her.

Administrator Dirk Davis provided his monthly report.

- 1- The estimate for replacing the sewer line on Virginia Street extension is \$19,420 for pipe, manholes, and engineering.
- 2- Gail Avenue paving estimate is \$35,000 from Pikes Paving and \$5,800 for catch basins and drain pipe. Dirk is going a LMI for CDBG Grant application. Dirk discussed the current condition of the road and the right of way locations. Dirk thanked K-West for helping us with the upper end of Gail.
- 3- The alley between Maple and Chestnut paving estimate is \$24,500 from Pike Paving and \$4,225 for catch basins and drain pipe.
- 4- Liberty Lane land bridge replacement project doesn't have a total estimate just yet. We need to replace this pipe with a larger pipe and then repair the road.

Rod Miller made a motion to allocate \$50,000 for the Virginia Street sewer line and to pave the alley between Chestnut and Maple, seconded by Jay Van Horn, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes.

- 5- Reminder to residents that they are responsible for their sewer laterals from their house to our main line. We have found several lines stuck with grease.
- 6- Jim and Byron have been doing their best to keep up with reshaping the alleys. When it rains they get washed out easily. We are working to asphalt or chip and seal more alleys in the future. Brad Allar has been gracious enough to let the village use his grader and Dave Shepherd has been helping us run the equipment.
- 7- Jimmy thinks that we need new tires on both police vehicles. We need tires now on the Charger and in the fall for the Explorer. The estimate for the Charger from Mikes Tire is \$825. Cindy Foose made a motion to approve the tire purchase, seconded by Carol Merritt, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes.
- 8- Dirk stated that it was discussed that we would name two new streets so we can apply for grant funding to repair them. One by the old gym and the other behind the fire house. Dirk asked permission to hire a surveying firm to conduct the surveys. Dirk asked council to think about it and lets decide next month.
- 9- Dirk is looking at pricing for additional street and alley maintenance like painting the double yellow line from North to South and oiling and sealing the alleys, and fixing large cracks and holes.
- 10- We are going to put some hot mix in the old school entrance to fix the road. Dirk stated that we have to fix a sidewalk there also.
- 11- Linda Grub asked us to fix the holes in the alleys, she lives on Washington. Dirk stated that we put grindings on the holes and it just gets washed out.

## Regular Meeting of Bethesda Village Council (Continued)

July 23, 2020

Brenda Russell stated that she had issues with people speeding on North Main Street. She stated that it is mainly people coming in to town. It was suggested to put a flashing light at the entrance to town. Dirk is going to look into this. Brenda stated that the way Pike Paving parks at the four-way is dangerous. Sam agreed that it is an issue.

Fiscal Officer Rick Burkhead presented Resolution 2020-3 which is a resolution to send the park levy to the board of elections. Rick reminded council that they are voting to put this levy on the ballot for the residents of Bethesda to decide on if they want it or not, they are not voting to put a levy into place. Jay Van Horn made a motion to approve Resolution 2020-3, seconded by Carol Merritt, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes. Rick informed council that gas and oil production has been halted for awhile.

Mayor Samantha Burkhead thanked everyone who has been lending equipment to the park and those who have donated time and labor to clean up the upper corner of the park.

Cindy Foose stated that the three police committee members have decided to table the police chief discussion for a couple months.

Police Chief Pete Busack informed council that there were three general complains and two traffic citations last month. Pete stated that he has been working with the building committee to work on property issues. Pete stated that there were four complaints with the health department. Pete stated that he is working on orders of condemnations. Pete stated that 103 Washington Street is one of them. Pete stated that he has had AEP removed the electric service from the property and had Dave Green remove water and sewer equipment. Jeff stated that he was working on an order of condemnation. Jeff stated that he is reviewing the speed bump ideas and he things we will be able to install these. Pete apologized for losing his cool at the last meeting and he should keep better composer doing this job.

Alan Stonebreaker asked when we were going to slow traffic down by Oak Street. Alan stated that he seldom sees the cop car near there but he sees him going out towards the box factory. Alan stated that all he sees is the cruiser sitting at the city building. Jordan stated that in the last few weeks Pete has been working on property maintenance issues. Alan stated that someday someone is going to get hit. Cindy stated that we only have a certain amount of hours and a certain amount of funding and we are doing the best we can. Samantha stated that speeding is an issue everywhere, Jordan agreed. Alan stated that Pete pretty much works the hours he wants to and either he wants to be a cop here or not.

Lonna Orr informed council that BCARL and Pete showed up at her house and they came into their yard and took their dog when they were not home. Lonna stated that Pete was not in uniform and had no warrant when they came and took the dog. Lonna stated that she is being accused of neglect and abuse of their dog. Lonna stated that the dog is a little over weight and has arthritis in his knees. Lonna stated that no one bothered to talk to them and they just came and took the dog. Lonna stated that the lady from BCARL was screaming at her and was up in her face. Pete stated that he does not have to be in uniform and that he is a police officer 24 hours a day 7 days a week. Lonna stated that there needed to be a court order for them to be on her property. Pete stated that he did not have to have a court order. Jordan stated that she is a Humane Officer and these people had a right to take the dog. Jordan that is someone sees a dog that can't walk they have a right to take the animal. Pete stated she had come to Pete and told her what she saw and Pete went up and stated that the dog couldn't move and was in distress and she said she was going to seize the dog. Pete stated that it was handled just like if it was a human in distress. Pete sated that Lonna will now have to defend herself in court with Judge Costine. Lonna stated that she was not given any notice of violations. Pete stated that he knows the law and that he had a right to help with getting the dog. Lonna stated that she doesn't understand why BCARL is being brought in all over the town all of a sudden and picking on residents. Lonna stated that BCARL is saying that the dog has lime disease. Jordan stated that Lonna would have known that is she took the dog to the vet once in a while.

Samantha stated for the record that the village is not associated with BCARL.

Alan stated that there is a big dog at large that is going to bite someone one day. Jordan stated that he needs to call the animal shelter, not the police and not BCARL. Alan stated that he has a dog right now that is dying and has bad arthritis, is someone going to come take his dog?

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Jay Van Horn made a motion to go into executive session to discuss pending litigation, at 7:48 p.m., seconded by Rod Miller, Jay - Yes, Ruth - Yes, Jordan - Yes, Carol – Yes, Cindy – Yes, Rod - Yes.

At 8:13.m. Mayor Samantha Burkhead declared executive session over.

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Motion to pay bills by Cindy Foose, 2nd by Rod Miller, with a unanimous vote.  
Motion to adjourn by Cindy Foose, 2nd by Jay Van Horn, with a unanimous vote.  
**The next meeting will be Thursday August 27<sup>th</sup>, 2020 at 6:30 P.M.**

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Mayor Samantha Burkhead

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Fiscal Officer Ricky W. Burkhead Jr.