

27 September 2010 Council

**Council Meeting
27 September 2010**

Mayor Blair called the meeting to order at 7:00 PM.

Roll Call: Gerald Rougé – No, Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Charles Hauser – Yes.

Visitors: Jennell Dahlhausen, Joe Kozial, Chip Hess, Marcianne Kimpton, Josh Echt, Jack Garner, John Bonner, Sharon Ronyak, Brian Johnston, Judy Beaumier, Newell Beaumier, Rick Smigelski.

Police Report: Chief Smigelski

Chief Smigelski reported for the month of August. Police responded to 286 activity calls, made 6 arrests and performed 40 traffic stops. Officers worked 748 hrs and put 3461 miles on the police cars.

The JAG LE Grant application comes out on Oct 1 and the Department will apply to get new radios.

August concluded the Ohio Department of Public Safety "Over the Limit Under Arrest" program to qualify for a new radar unit for the department. As a result of the program two DUI stops were made in less than an hour. Safety Town was conducted in August and approximately 40 children attended. There were twelve guest speakers and the children and parents really enjoyed the event. Grants were received from Burton Township, Troy Township, Claridon Township and a \$1000 grant from Walmart towards the program. Ms. Swaney and Council congratulated Chief Smigelski on a successful event.

New Business:

The Mayor and Council recognized Mr. John Bonner. Mr. Bonner, representing his non profit group Western Reserve Recreation, asked Council to grant him permission to use the sign board in the park for advertising his Corn Maze which lies outside the Village. Mr. Bonner explained that the Corn Maze and similar events he puts on raise money to offset the pay to play athletics at Berkshire Schools. Council discussed. The Mayor noted that he felt this was a good cause to support.

Mr. Ronyak moved to allow the Corn Maze sign to hang on the Village sign board as room allows and Ms. Swaney seconded the motion. By voice vote, motion approved.

Mr. Coleman suggested amending the sign board ordinance to handle situations like this in the future.

Solicitor:

Mr. Hicks had nothing to report.

Ordinances and Resolutions:

Ms. Swaney placed Ordinance 2198-10, amending and adopting the personnel manual for the Village, on final reading. Mr. Ronyak asked for discussion. Mr. Ronyak asked for clarification of the job description of the Fiscal Officer concerning "coordinates budgets and personnel issues". Mr. Paquette explained that the position coordinates budgets between departments and handles personnel issues such as taxes including maintaining personnel records. Council discussed. Mr. Hicks was asked if it needed to be clearer and he replied that it seemed clear enough. Mr. Paquette stated that personnel issues did not include disciplinary actions.

Ms. Swaney moved to adopt Ordinance 2198-10 and Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Ordinance 2198-10 is adopted.

Ms. Swaney placed Resolution 2010-18, accepting and authorizing the County Auditor approved tax rates for 2011, on second reading and moved to waive further readings. Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Motion passed.

Ms. Swaney moved to adopt Resolution 2010-18. Mr. Hauser seconded the motion. Roll Call: Linda Swaney – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes. Resolution 2010-18 is adopted.

Fiscal Officer:

Mr. Paquette asked for a motion to pay approved bills. Mr. Coleman so moved. Mr. Ronyak seconded the motion. By voice vote the motion passed.

Mr. Paquette asked for corrections and comments to the minutes of 13 September 2010. Mr. Paquette noted changes on page 2; in the first paragraph crossed should be cross, in the third paragraph provided should be provide, in the sixth paragraph, second sentence, insert 'full time' between two and water, and 'of' between some and the in last line. In the eighth paragraph, after the third sentence, insert 'Mayor Blair strongly objected to any motion that tabled discussion of the subject of Village Administrator.' Also in paragraph eight, remove 'make a recommendation' from the sentence beginning "Mr. Ronyak amended his motion..." and replace it with 'a study completed'. Add a paragraph after eight on page 2 that reads 'Mr. Ronyak recommended the

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committee consist of BPA chairperson, Council president and any other interested member. Ms. Swaney recommended the Fiscal Officer be included.' On page 3, at the top of the page add a paragraph that reads 'Mayor Blair stated that it was not necessary to have a joint meeting with BPA and EPA since the committee was being formed.' On page 5, in the paragraph starting with Mr. Ronyak, change provided to provide.

Mr. Coleman moved to accept the minutes of 13 September as amended. Mrs. Lillibridge seconded the motion. By voice vote, motion approved.

Mr. Paquette reported the following as Fiscal Officer. BPA and Council will be holding a joint meeting on October 12, a Tuesday, because of the Monday holiday. Mr. Paquette asked Council to consider budgeting for and purchasing remote back up for the financial programs by United Systems Technology Inc. (USTI) USTI is our financial software supplier. A one time fee of \$295 for a license and an annual fee of \$359 will be required. Council will consider. Mr. Paquette noted that he obtained a quote for Village property and liability insurance from the Ohio Plan that is approximately \$5,000 less than last years charge for the same insurance. Mr. Paquette noted that the Village policy renews on October 28 and he encouraged interested Council members to compare the two policies. Mr. Paquette reported that it is time to get the Codified Ordinances updated. Mr. Paquette if any Council members needed a new hard copy of the Village Codified Ordnances. At least two Council members stated that they did.

MAYORS Report;

Mayor Blair noted that the weekend of 9-10 October was the Apple Butter Festival and the Ox Roast. Council discussed allowing the Chamber of Commerce to advertise the Ox Roast via sandwich board signs in park in addition to the fixed hanging sign boards. Ms. Swaney moved to allow the Chamber of Commerce to place signs in the park at strategic locations for the purpose of the Ox roast. Mr. Ronyak seconded the motion. By voice vote, motion approved.

Old Business:

Mr. Coleman returned to the discussion of parking in the western municipal lot during snow events. Vehicles parking in the lot present a hazard for plowing during snow events. Mr. Coleman asked Chief Smigelski for suggestions. Chief Smigelski suggested parking passes for those residents of the apartments along North Cheshire/Main Street who are supposed to park there. There are more than twenty apartments. Mr. Ronyak brought up the problem of identifying visitors to those apartments.

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Chief Smigelski also recommended having all vehicles park in the inside or western most spaces of the lot during snow events. Council discussed. Mr. Coleman will discuss with Mr. Hicks for possible legislation language.

Mr. Coleman reported that he had spoken to Mr. Hiscox about the dumpster abutting the library exit drive. Mr. Hiscox noted that the dumpster should be on the provided pad and not extending out into the roadway. Mr. Hiscox will contact the dumpster company.

Mr. Coleman noted that he had not spoken to Mr. Motil yet about a yield or caution sign for the exit drive. Council and visitors had many suggestions about possible signs and solutions. Council discussed. Mr. Coleman will contact Mr. Motil about putting up a caution pedestrian crossing sign on the outgoing driveway. Chief Smigelski was asked to talk to the Burton Library about the large shrubs obstructing the view to the sidewalk approach for both vehicles and pedestrians.

Mr. Coleman reported that the area by USA GAS is owned and should be maintained by the Village. Mrs. Beaumier asked if the shrubs in front of the gazebo be trimmed this fall.

Mr. Ronyak moved to clarify his previous motion of 13 September to have the Village administrator Committee made up of the BPA president, Council President, Craig Ronyak, Mayor Blair and Mr. Hauser and that its purpose be to perform an economic impact study of how a Village Administrator position would effect the Village and for that committee to inform the residents of pros and cons of a Village Administrator position. Council discussed. Mr. Hicks noted that this motion would in effect create a second committee. Mr. Ronyak refined his motion to read perform an economic impact study of how a Village Administrator position would effect the Village and for that committee to inform the residents of pros and cons of a Village Administrator position. Mr. Hauser seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Hauser – Yes, Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – abstain. Motion passed.

Mr. Ronyak moved to have the position of Village Administrator placed before the voters in November 2011 election. Council discussed. Mr. Coleman noted that the last meeting placed a moratorium on discussing the Village Administrator. Ms. Swaney asked for clarification of what is exactly the process. Council discussed. Mr. Hicks noted that even though the motion could be voted on, the final determination of placing the question on the ballot could require another vote and further procedures. Mr. Hicks also suggested wording the question as 'should the Board of Public Affairs be abolished in favor of a Village Administrator'. Mr. Ronyak

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moved to have the question 'should the Board of Public Affairs be abolished in favor of a Village Administrator' placed before the voters in the November 2011 election. Mr. Hauser seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Hauser – Yes, Linda Swaney – Yes, Jeff Coleman – No, Dianne Lillibridge – No. Motion passed.

Council discussed further. Mr. Johnston stated that he felt that the voters needed to be asked. Mrs. Beaumier stated that she worried about costs of the Administrator based on the costs ascribed to the Administrator in Middlefield.

Mr. Hess informed Council that the final application for Issue II was due at the end of October and he would be preparing it for review by both BPA and Council.

New Business; (cont.)

Ms. Swaney reported that she has had requests to find out what happened to the bench that used to sit on the sidewalk in front of the Artful Dragon store on North Cheshire. Chief Smigelski offered to investigate if the bench was Village property or if a business filed a complaint that it was missing. Ms. Dahlhausen was asked to research the ownership of the bench.

Mr. Coleman presented quotes from three companies for Fall brush pickup. Imperial Tree quoted \$80 per hour, Northeast Tree quoted \$84 per hour and Independent Tree quoted \$95 per hour. Mr. Coleman moved to accept the quote of Imperial Tree pending confirmation of their use of a chipper for the work. Ms. Swaney seconded the motion. Roll Call: Jeff Coleman – Yes, Linda Swaney – Yes, Craig Ronyak – Yes, Charles Hauser – Yes, Dianne Lillibridge – Yes. Motion passed.

Mr. Coleman presented a request from Mr. Motil to utilize the County crack sealing equipment at a rate of \$95 per hour. This quote includes two men, training, and the equipment and tar. Burton Township has utilized their services before and was satisfied with the results and the money saved versus a contracted rate. Mr. Coleman moved to accept the suggested County rate and Mr. Hauser seconded the motion. Roll Call: Jeff Coleman – Yes, Charles Hauser – Yes, Linda Swaney – Yes, Craig Ronyak – abstain, Dianne Lillibridge – Yes.

Mr. Paquette asked and received confirmation that Fall Brush pickup is the week of 25 October.

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Ms. Swaney moved to enter executive session to discuss personnel issues and possible disciplinary action. Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Council entered executive session at 8:12 PM.

Ms. Swaney moved to leave executive session at 8:39 PM. Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Council returned to session.

Ms. Swaney moved to adjourn. Mr. Ronyak seconded the motion. Meeting adjourned at 8:42 PM

Mayor

Fiscal Officer