

**Council Meeting
14 February 2011**

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

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

Visitors: Rita Walker, Mark Walker, Roger Smith, Newell Beaumier, Judy Beaumier, Joe Kozial, Brian Johnston, Curt Johnson, Chad Eldridge, Marcianne Kimpton, Cady Hutchinson, Jack Garner, Jennell Dahlhausen, Josh Echt

Recognition of Visitors:

Mr. Roger Smith, independent movie producer, requested that the Council allow him the use of two Village police cars and two police officers, uncompensated, for approximately two hours to film a short sequence in a low budget independent film he is making here in Ohio. Mr. Coleman asked about liability coverage and Mr. Smith replied that he could make available a certificate of insurance that included the Village. Mr. Smith presented that plot of the movie and assured them of its PG nature. Council discussed along with audience participation. Mr. Coleman moved to allow the officers and two vehicles to participate as available in the movie production upon receipt of a certificate of insurance. Mr. Hauser seconded the motion. Roll Call: Jeff Coleman – Yes, Charles Hauser – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Craig Ronyak – Yes. Motion passed. Mr. Smith was directed to coordinate his efforts with Chief Smigelski.

The Mayor recognized Mrs. Rita Walker. Mrs. Walker stated that she was a rental property owner in the business district of Burton along North Cheshire on the east side of the street. Her tenants had received a letter stating that they were not able to place their home garbage in the trash receptacles of the Village on North Cheshire. Mrs. Walker stated that her tenants are not allowed to place bags on the tree lawn in front of the building for collection and the trash pickup company will not pick up a dumpster in the alley behind her building because it is not dedicated or plowed in the winter. Some tenants were taking their garbage to work with them and placing it in those receptacles. Mrs. Walker asked for ideas on handling the situation. Council offered several suggestions including getting together with other building owners on the block and renting a dumpster. Council and the Mayor felt that the trash problem was a landlord tenant issue to solve.

Engineers Report:

Mr. Eldridge reported that Hess and Associates expected the NOPEC grant to be decided on 16 February and that the issue looked very favorable for the Village.

Zoning Report:

Ms. Hutchinson reported that she and Ms. Dahlhausen had sent out letters to those interested parties concerning placement of signs for pancake breakfasts. And the Board of Zoning Appeals will be deciding a conditional permit for an at home business. Ms. Hutchinson stated that someone had spoken to her about building a greenhouse on their lot but the project had not gone further than that. Mr. Hauser stated that the project was not going to take place at this time.

Fire Report:

Chief Sestak was not available to report.

Ordinances and Resolutions:

Mr. Coleman reminded Council that they (Council) had agreed to limit legislation to the second meeting of the month and dedicated the first meeting of the month to work of the committees unless there was an emergency or pressing need to pass the legislation. Mr. Coleman stated that Ordinance 2213-11 and 2214-11 were not of an emergency status and should not be read at this meeting. However Mr. Coleman added that he would not object to them being read at this meeting.

Mr. Coleman opened a discussion on the proposed water and sewer rate increase. Mr. Coleman reiterated his stance that a 50% increase was too much all at once and that a gradual phase would be better. Mr. Coleman suggested a fifteen percent increase this year followed by twenty percent each of the next two years. Council discussed the need and reasoning behind the increase. Mr. Johnson, BPA president, pointed out that the Village had a number of expensive capital projects that needed to be planned for in addition to the wastewater treatment plant replacement. Mr. Coleman stated that a phased increase would arrive at the same amount of revenue as a big increase. Mr. Paquette provided some calculations estimating the amount of carry over available in 2015 based on a 50% increase and several variations of a phased increase. Mr. Paquette pointed out that the General Fund would not have the extra funds available to augment the water and sewer project funds. Mayor Blair added that the Village had to make hard choices as it had a fiscal responsibility to maintain the water and sewer infrastructure.

February 14 2011 Council

Ms. Swaney placed Ordinance 2213 -11, amending Section 303 (A) of the Board of Public of Affairs Rules and Regulations for the Village of Burton and Section 925.02 (A) of the Village of Burton Codified Ordinances so as to amend the sewer rates, on second reading.

Ms. Swaney placed Ordinance 2214-11, amending Section 302 (A) of the Board of Public Affairs Rules and Regulations for the Village of Burton and Section 925.01 (A) of the Village of Burton Codified Ordinances so as to amend the sewer tap - in or connection fee, on second reading.

Ms. Swaney introduced Ordinance 2215-11, authorizing the Mayor and the Fiscal Officer to enter into an Agreement with the City of Akron, Ohio for pertain properties associated with Village's Wastewater Treatment Plant, Water Plant, and Street Garage and declaring an emergency, and moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Charles Hauser – Yes.

Ms. Swaney moved to adopt Ordinance 2215-11 and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Ordinance 2215-11 is adopted.

Ms. Swaney introduced Ordinance 2216-11, establishing a temporary moratorium on the acceptance and processing of applications for Zoning and/or Occupancy Permit approvals for Sweepstakes/Internet Cafes and the issuance of such approvals; and declaring an emergency, and moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Charles Hauser – Yes.

Ms. Swaney moved to adopt Ordinance 2216-11 and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Ordinance 2216-11 is adopted.

Ms. Swaney introduced Resolution 2011-06, authorizing the Fiscal Officer to transfer appropriated funds from A01 General Fund to B01 Street, B03 Cemetery Operating, B05 Police, D09 Goodwin Issue II, and D10 Carlton Street Project, and moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Charles Hauser – Yes.

February 14 2011 Council

Ms. Swaney moved to adopt Resolution 2011-06 and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Resolution 2011-06 is adopted.

Ms. Swaney introduced Resolution 2011-07, authorizing the Fiscal Officer to advance appropriated funds from A01 General Fund to D03 Capital Equipment, D04 Street Capitalization, D05 Sidewalk Capitalization, D06 Facilities Capitalization, and B10 Safety, Support and Service Wages Fund, and moved to waive further readings. Mr. Hauser seconded the motion. Roll Call: Linda Swaney – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes.

Ms. Swaney moved to adopt Resolution 2011-07 and Mr. Hauser seconded the motion. Roll Call: Linda Swaney – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes. Resolution 2011-07 is adopted.

Ms. Swaney introduced Resolution 2011-08, authorizing the Fiscal Officer to transfer appropriated funds from E01 Water Operating Fund to E13 Water Distribution and E15 Water Replacement Funds, and moved to waive further readings. Mr. Hauser seconded the motion. Roll Call: Linda Swaney – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes.

Ms. Swaney moved to adopt Resolution 2011-08 and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Resolution 2011-08 is adopted.

Ms. Swaney introduced Resolution 2011-09, authorizing the Fiscal Officer to transfer appropriated funds from E02 Sewer Operating Fund to E6B Sewer Bond and Interest Fund, and moved to waive further readings. Mr. Hauser seconded the motion. Roll Call: Linda Swaney – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes.

Ms. Swaney moved to adopt Resolution 2011-09 and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Resolution 2011-09 is adopted.

Ms. Swaney introduced Resolution 2011-10, approving the Fiscal Officer to request an amended Certificate Of Resources and Permanent

February 14 2011 Council

Appropriations from the County Auditor regarding the General, Special Revenue, Capital Project, Enterprise Funds, and Fiduciary Agency Funds, and moved to waive further readings. Mr. Hauser seconded the motion. Roll Call: Linda Swaney – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes.

Ms. Swaney moved to adopt Resolution 2011-10 and Mr. Hauser seconded the motion. Roll Call: Linda Swaney – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes. Resolution 2011-10 is adopted.

Fiscal Officer's Report:

Mr. Paquette asked for a motion to pay approved bills. Mr. Ronyak moved to approve payment and Mr. Hauser seconded the motion. By voice vote, motion passed.

Mr. Paquette asked if there were any corrections or additions to the minutes of 24 January 2011. There being none, Mr. Paquette asked for a motion to adopt the minutes of 24 January 2011 as written. Mr. Ronyak moved to adopt the minutes of 24 January 2011 as written. Mr. Hauser seconded the motion. By voice vote, motion passed.

Mr. Paquette reported that Mia Moore of First Energy/The Illuminating Company, will be coming before Council on 28 February to discuss moving a light pole from the municipal parking lot at the north side of West Park and West Center to the Island adjacent.

Mr. Paquette reminded Council that the agreement for Admissions Tax with the Geauga County Fair Board ends in 2012. Mr. Paquette provided a brief history of the agreement.

Committees

BPA, Architectural Review and Planning Commission; Mr. Rougé
Mr. Rougé opened a discussion concerning a pay raise for Mr. Jerry Rose of the Utilities Department. BPA made a recommendation to increase his pay by \$2.05 per hour. Council discussed options. Mr. Rougé moved to increase Mr. Rose's pay by 4% and Ms. Swaney seconded the motion. Roll Call: Gerald Rougé – Yes, Linda Swaney – Yes, Jeff Coleman – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Motion passed.

BZA, Board of Review. Mr. Ronyak
Mr. Ronyak had nothing to report.

Finances, BCPA: Mrs. Lillibridge

February 14 2011 Council

Mrs. Lillibridge was not available to report.

Trees and Parks, Historic District: Ms. Swaney

Ms. Swaney noted that the Tree Commission had a new member. Ms. Swaney also attended a workshop with Mr. Paquette regarding the Community Development Block Grants. Funds are limited and difficult to obtain. Council discussed and agreed that it would be worthwhile to pursue a grant to get the Log Cabin Bathroom upgraded to ADA standards. Ms. Swaney will obtain a copy of the grant proposal used by the Historical Society and Mr. Hauser will coordinate gathering the needed information.

Fire Department and Cemetery: Mr. Coleman

Mr. Coleman reported that he attended the Fire Department meeting last week but that Chief Sestak was not present. At the meeting they discussed some equipment purchases and some possible future plans for the School building next door, including either selling and moving the building or demolishing it.

Mr. Paquette asked Mr. Coleman if the Fire Tax district levy was discussed. Mr. Coleman stated that it was not. Mr. Paquette stated that the process for getting a levy on the November ballot would need to start soon in order to meet the time constraints.

Streets and Health District: Mr. Hauser

Mr. Hauser reported that the Health District Committee meets March 24 for the annual budget meeting.

Mr. Hauser congratulated the Street Department for doing a great job with all the snow and ice removal. The Department will be putting cold patch in potholes as soon as possible.

Mr. Hauser presented two quotes Ms. Dahlhausen received for street sweeping. Reilly Sweeping quoted \$970 for the job and Southwestern Sweeping quoted \$1,325. Mr. Hauser moved to accept the Reilly Sweeping quote in the amount of \$970. Mr. Coleman seconded the motion. Roll Call: Charles Hauser – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Craig Ronyak – Yes. Motion passed.

Mayors Report:

Mayor Blair discussed with Council a request by the Chamber of Commerce to use the Park on the last Saturday of every month from May through September for an event to be known as Saturday in the Country. Council discussed and wanted to make sure the Chamber was responsible for cleaning up. Mr. Rougé moved to allow the Chamber of

February 14 2011 Council

Commerce use of the Park on the last Saturday of each month from May until September of this year. Mr. Ronyak seconded the motion. Roll Call: Gerald Rougé – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Linda Swaney – Yes, Charles Hauser – Yes.

Mayor Blair asked Council to give permission to the Historic District Association and the Tree Commission to hold Founders Day and Arbor Day in the Park at the Gazebo on 19 June, 2011. Ms. Swaney moved to allow the Historic District Association and the Tree Commission permission to use the Park for Founders Day on 19 June 2011. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Motion passed.

Mayor Blair noted that the Wayman's have obtained a Mayor's permit for Car Shows again this summer.

Old Business:

None.

New Business:

Ms. Swaney introduced Mrs. Beaumier as the newest member of the Tree Commission. Mayor Blair will swear her in after the meeting.

Mrs. Beaumier announced that the American Legion will be holding a Pancake Breakfast this Sunday at the Legion Hall.

Mr. Coleman moved to adjourn and Mr. Ronyak seconded the motion. Meeting adjourned at 9:02 PM.

Mayor

Fiscal Officer