

**Council Meeting  
28 October 2013**

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

**Roll Call:** Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – No, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Boehnlein - Yes

**Visitors:** Marcianne Kimpton, Jack Garner, Todd Hicks, Rick Smigelski, Josh Echt, Pat Hauser, Dennis Coyne, Sue Fisher, Debbie Palmisano, Lee Koroshes, Jane Koroshes, Joe Kozial, Charles Weikart.

**Police Report:**

Mayor Fischbach introduced Mr. Dennis Coyne, Police Prosecutor for the Village, and asked Council to go briefly into executive session to discuss pending litigation. Mr. Boehnlein moved to enter executive session at 7:05 PM. Mr. Johnston seconded the motion. Roll Call: Charles Boehnlein – Yes, Brian Johnston – Yes, Dianne Lillibridge – Yes, Linda Swaney – Yes, Craig Ronyak – Yes.

7:16 PM. Ms. Swaney moved to leave executive session and Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Craig Ronyak – Yes.

Chief Smigelski reported for the month of Sep. The Department responded to 109 incidents, made 24 traffic stops, and wrote 16 reports. Full time Officers worked 366 hours and part time Officers worked 266 hours. Officers made 4 arrests and participated in 2 special details; apple butter and the Fair. Trick or treat is scheduled for 31 October. On the subject of the position of school flashing lights being too high, Chief Smigelski provided information to Council and visitors that established the minimum height of signs to be seven feet above ground, according to ODOT. Mr. Koroshes contended that traffic was still speeding by and that there was not enough enforcement on North Cheshire. Chief Smigelski stated that he was focused on other areas but would look into the possibility of other patrols.

Chief Smigelski reported that Street Department hit a protruding casting on Goodwin Avenue while snow plowing in the recent weather. The casting was not damaged but the plow cutting edge was bent. Chief Smigelski recommended that Council accept a quote from Phil Miller Construction for \$2200.00 to lower the casting on Goodwin. Council discussed. Ms. Swaney moved to accept the quote and Mr. Johnston

seconded the motion. Roll Call: Linda Swaney – Yes, Brian Johnston – Yes, Dianne Lillibridge – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Motion passed. Mr. Paquette will contact Mr. Miller and notify them of the award.

Chief Smigelski expressed concern to Council that because of the heavy snow a number of branches had fallen. Chief Smigelski recommended a second brush pickup and Mayor Fischbach agreed. Council discussed. Chief Smigelski thought that there was about a half days work in brush. Mr. Boehnlein moved to have the Chief obtain brush chipping services not to exceed \$1800 in work. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Motion passed. Mr. Paquette will issue a Purchase Order.

**Solicitors Report:**

Mr. Hicks deferred his report to an executive session at the end of the meeting.

**Zoning Report:**

Mr. Gruber was not available to report.

**Ordinances and Resolutions:**

Linda Swaney placed Ordinance 2258-13, to approve, adopt and enact the 2013 replacement pages to the codified ordinances; and declaring an emergency, on first reading and moved to waive readings. Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Craig Ronyak – Yes. Motion passed.

Ms. Swaney moved to adopt Ordinance 2258-13 and Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Craig Ronyak – Yes. Ordinance 2258-13 is adopted.

**Fiscal Officer**

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

Mr. Paquette asked for comments or a motion to adopt the 15 October 2013 minutes. Mrs. Lillibridge offered the following corrections. On page 3, in the second to last paragraph remove 'asked'. On page 4 in the last paragraph, Mr. Paquette 'said'. Mrs. Lillibridge moved to adopt the

minutes of 15 October 2013 as amended and Mr. Ronyak seconded the motion. By voice vote, motion passed.

**Mayors Report:**

Mayor Fischbach reported that the water line replacement on Elmar and Seco was proceeding.

Mayor Fischbach recommended the appointment of Mr. Charles Weikart, a 42 year resident of the Village of Burton, to be on the Historic District Review Board. Mr. Johnston moved to accept the appointment of Charles Wiekart and Ms. Swaney seconded the motion. Roll Call: Brian Johnston – Yes, Linda Swaney – Yes, Dianne Lillibridge – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Motion passed.

Mayor Fischbach asked for comments from visitors. Ms. Palmisano noted that she had recently completed a special arborists certification.

Mayor Fischbach informed those present about the time line to complete the waste water treatment plant. The BPA will obtain a 20 year zero interest loan and pay it off through water and sewer payments for water. The design will be completed by Arcadis Engineering in late 2014 with construction scheduled for 2015 and most of 2016.

**Old Business:**

No old business discussed.

Mr. Ronyak moved to enter executive session to discuss pending litigation. Mr. Boehnlein seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Boehnlein – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Entered Executive Session at 7:50 PM.

Mr. Johnston moved to leave executive session at 8:24 PM. Mr. Ronyak seconded the motion. Roll Call: Brian Johnston – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Linda Swaney – Yes, Charles Boehnlein – Yes.

**New Business:**

Mrs. Lillibridge and Mr. Ronyak asked Council to reconsider the date upon which the next Council meeting will be held. Council had decided on 11 Nov, however that is a Holiday for Village employees. Alternatively Mayor Fischbach suggested 18 and 25 November. Council agreed.

Mr. Ronyak moved to adjourn and Mr. Boehnlein seconded the motion. Meeting adjourned at 8:26 PM.

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Mayor/President Pro-tem

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Fiscal Officer