

**Council Meeting
9 December 2013**

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

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

Visitors: Marcianne Kimpton, Jack Garner, Chad Eldridge, Judy Beaumier, Rick Gruber, Todd Hicks, Rick Smigelski, Josh Echt.

Mayor Fischbach recognized Mr. Garner. Mr. Garner asked how much the second brush pickup cost. Mr. Paquette quoted the price as around \$1350.

Police Report:

Chief Smigelski reported for the month of November. There were 160 incident calls, 11 reports, 4 arrests, 66 traffic stops and 16 citations. 3578 miles were put on the police vehicles. Auxiliary officers worked 139 hours, part time officers worked 275 hours and full time officers worked 515 hours for the month.

Street Report:

Chief Smigelski reported that the Street Department was finishing up the year and assisted with the water main breaks the last couple of days. No problems noted.

Engineers Report:

Mr. Eldridge reported that the Seco Boulevard water line has been installed and tested. The Elmar Boulevard water line is in the ground but awaiting parts and a break in the weather before being tested and closed up. Mr. Eldridge commented on one incident where a homeowner's gas line was damaged. The repair was made by the contractor and Dominion East Ohio however Mr. Eldridge will follow up to make sure the resident is secure. Mr. Garner reported that his electric service connection was damaged also but is being handled. Ronyak Paving made their first application for payment however the OPWC paperwork is not complete and the summary amount provided for the Council was incorrect. After conferring with Mr. Hicks, Council agreed that the Mayor could sign the OPWC application for payment so that it would be ready for Council to approve in January.

Fire Department Report:

No representative from the Fire Department was available however Council discussed with Mr. Johnston the proposed 2014 fire contract. The contract was laid out as in past years. The contract will be for one year and the Village payment will be based on a formula developed by the Village, Burton Township and Claridon Township. The formula combines the dollar value of taxable property in each municipality to create a percentage. That percentage is combined with the percentage of calls each municipality has had averaged over the last five years. This formula will be reviewed in the coming year to adjust the call volume recognized to each. Our amount for 2014 will be \$150,476.

Zoning Report:

Mr. Rick Gruber reported the Historic District Review Board approved a shed at the Congregational Church. An issue between a resident and the Geauga Credit Union regarding a tree overhanging one property from the other is a civil matter. Mr. Gruber also mentioned that there is interest from a buyer to turn the Herrington house at the corner of Ford and North Cheshire into a bed and breakfast. The property would need a variance for that use.

Ordinances and Resolutions:

Ms. Swaney placed Resolution 2013-24, supporting the preservation of customer choice through governmental opt-out electric aggregation, on second reading and moved to waive further readings. Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes. Motion passed.

Ms. Swaney moved to adopt Resolution 2013-24, and Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes. Resolution 2013-24 is adopted.

Ms. Swaney introduced Ordinance 2262-13, authorizing the Mayor and Fiscal Officer of the Village of Burton to enter into an agreement with the Burton Volunteer Fire Department, Inc. for fire and emergency services from January 1 2014 through December 31 2014, and placed it on first reading. Ms. Swaney moved to waive further readings. Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes. Motion passed.

Ms. Swaney moved to adopt Ordinance 2262-13, and Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein –

Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes.
Ordinance 2262-13 is adopted.

Fiscal Officer

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

Mr. Paquette asked for comments or approval of minutes of the 25 November meeting. Mrs. Lillibridge presented two changes on page three; in Old Business, the word burton should be “Burton”. And in the next paragraph, the second sentence should read in part ‘restaurant would be open’. Mrs. Lillibridge moved to accept the minutes as amended. Mr. Boehnlein seconded the motion. By voice vote, motion approved.

Solicitor:

Mr. Hicks had nothing to report.

Mayors Report:

Mayor Fischbach asked Council for approval to reappoint Marcianne Kimpton to the Cemetery Board. Mr. Coleman moved to accept the appointment of Marcianne Kimpton to the Cemetery Board. Ms. Swaney seconded the motion. Roll Call: Jeff Coleman – Yes, Linda Swaney – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Boehnlein – Yes. Motion adopted.

Mayor Fischbach asked Council for approval to reappoint Roberta Dobay to the Board of Zoning Appeals. Mr. Boehnlein moved to accept the appointment of Roberta Dobay to the Board of Zoning Appeals. Ms. Swaney seconded the motion. Roll Call: Charles Boehnlein – Yes, Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Ye, Brian Johnston – Yes. Motion adopted.

Committees

BPA, Fairboard, Century Village, Ordinance Review: Mr. Ronyak
Mr. Ronyak was not present to report.

BCPA, Grants, Cemetery, Local Government: Mrs. Lillibridge
Mrs. Lillibridge reported that the Berkshire Community Planning Association meets 12 Dec. No meeting report for the Cemetery Board. The Burton Township meeting reported that the Ghost tours went very well. The township is still working to tear down some dilapidated homes on Aldenshire.

Economic Development, BZA, and Health District:
Mr. Boehnlein had no report.

Community Programs, Newsletter, Historic District: Ms. Swaney
Ms. Swaney had nothing to report.

Trees and Parks, Berkshire Schools, Planning Commission: Mr. Coleman
Mr. Coleman reported that the Tree Commission is reviewing its ordinances. Nothing on Schools at this time.

Finances, Police and Fire representative, Historic District Architectural Review Board: Mr. Johnston
Mr. Johnston had nothing further to report on the Police department or Fire Department. Mr. Johnston noted that the Historic District Review Board (HDRB) was discussing its enforcement ability in the nature of fines. The regulations put the process of charging a fine to someone who violates Historic District ordinances with Council. HDRB wanted to know if more enforcement power could rest with them. Two more violations of the policy have occurred this year and HDRB would like some action taken. Mr. Hicks recommended that the HDRB schedule a special meeting and invite the residents guilty of infraction to that meeting to find out why the incident took place. Mr. Johnston will take care of it.

Old Business:

Mr. Coleman asked Council to consider creating a line item in the budget to fund \$3,000 toward the recreation groups in the Village, specifically Berkshire Recreation (\$2,500) and Burton Youth League (\$500). Council discussed. Mr. Johnston stated that he would be in favor of offering donations to interested groups, not limited to the Berkshire Recreation Board or the Burton Youth League, who come before Council and substantiate their request. Mrs. Lillibridge stated that she felt uncomfortable giving to either group because of questions concerning use of funds. In one case, she understood that a majority of the funds received go to one sport, football, with the remaining sports receiving the leftovers. Mr. Coleman moved to set up a \$3000 line item in the budget for the Burton Youth League and Berkshire Recreation Board. There being no second, the motion died. Mr. Hicks suggested inviting those groups interested in receiving funding to a Council meeting. Mayor Fischbach asked Mr. Coleman if he would be willing to relay that message as he left office. Mr. Coleman stated that he would.

New Business:

Mr. Johnston thanked Mr. Coleman for his years of service with the Village noting that while they had not always agreed it was apparent that both

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of them felt they were doing what was in the best interest of the Village. The remaining Council members and Mayor echoed that sentiment.

Mr. Coleman thanked everyone for his time on Council. He recounted his time in the Village and remarked that the Village was and is a great place to live.

Ms. Swaney asked Mr. Echt if he could tell Council what took place at the Berkshire School Board tonight. Mr. Echt stated that the School board had passed a motion to complete a study of consolidation with Newbury schools.

Mayor Fischbach also thanked Mrs. Beaumier, in the audience, who is leaving BPA at the end of this year.

Mayor Fischbach decided to call an organizational meeting on 6 January 2014 in the Village hall at 7 PM. Then the regular schedule of meetings on the second and fourth Mondays would take effect. So there will be three meetings in January, the 6th, 13th, and 27th.

Mr. Coleman moved to adjourn and Ms. Swaney seconded the motion. Meeting adjourned at 8:20 PM.

Mayor/President Pro Tempore

Fiscal Officer