

**Council Meeting
28 May 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, Charles Hauser – Yes, Brian Johnston – Yes.

Visitors: Marcianne Kimpton, Jack Garner, Todd Hicks, Chad Eldridge, Rick Smigelski, Josh Echt, Greer Johnston.

Police Report:

Chief Smigelski reported for the month of April. The Department responded to 111 incidents, made 30 traffic stops, made four arrests, and wrote 15 reports. Officers worked 902.5 hours and put 3905 miles on the police vehicles. Auxiliary Officers worked a total of 124.5 hours for the month.

A request has been made for bullet proof vests for our officers. This is a 50% matching grant although the Village will have to pay first and receive reimbursement.

Chief Smigelski reported that the department had provided A.L.I.C.E. training to a group of teachers at the Berkshire High School. The training was a no cost to the school and is designed to help teachers and students defend against potential school attacks.

Mayor Fischbach asked Chief Smigelski to explain the situation with regard to the crossing guard not on duty. Chief Smigelski related that on a Monday morning last week the crossing guard called his cell phone in the morning and notified him that she would be unavailable for the afternoon. Chief Smigelski was at that time investigating vandalism of school buses at the high school and had no cell phone reception. He did not receive the call, along with all his other missed calls, until late in the afternoon. In the future the Crossing Guard will call off with the Chief and if unable to reach him directly, will be directed to call the Village Office. Because the duty officer has to respond to calls, he/she may not be available for cross walk duty. Short notice might also preclude finding a temporary replacement. Ms. Swaney suggested an advertisement in the newsletter to create a pool of available persons for the job in an emergency.

Solicitors Report:

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

Ordinances and Resolutions:

Ms. Swaney placed Resolution 2013-13, approving the Fiscal Officer to request an amended certificate of resources and permanent appropriations from the Geauga County Auditor regarding the General fund, the Capitalization Funds and the Special Revenue funds for purpose of increasing the Cemetery Operating Fund budget and increasing the Street Capitalization budget and declaring an emergency on final reading. Mr. Johnston moved to adopt. Mr. Ronyak seconded the motion. Roll Call: Brian Johnston – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Linda Swaney – Yes, Charles Hauser – Yes. Resolution 2013-13 is adopted.

Ms. Swaney placed Resolution 2013-14, to participate in the Geauga County Engineer Resource Rental Program, on final reading. Mr. Ronyak moved to adopt and Mr. Johnston seconded the motion. Roll Call: Craig Ronyak – Yes, Brian Johnston – Yes, Dianne Lillibridge – Yes, Linda Swaney – Yes, Charles Hauser – Yes. Resolution 2013-14 is adopted.

Ms. Swaney introduced Ordinance 2256-13, adopting the tax budget for Fiscal Year 2014 and declaring an emergency, and placed it on first reading.

Fiscal Officer

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

Mr. Paquette asked for comments or a motion to adopt the 13 May 2013 minutes. Mrs. Lillibridge recommended a correction on page 3, to omit “the” from the last sentence of the zoning report as it precedes “Carlton”. Mrs. Lillibridge moved to adopt the minutes of 13 May 2013 as amended and Mr. Ronyak seconded the motion. By voice vote, motion passed.

Mr. Paquette explained to Council the manner in which the 2014 tax budget had been prepared and noted that Department heads and Committees would have input prior to the final budget setup in the fall. Mr. Paquette asked for a Public Hearing on the Tax budget prior to the Council meeting on 24 June.

Mayors Report:

Mayor Fischbach recognized Greer Johnston, Councilman Brian Johnston's daughter, who is attending the meeting. Mayor Fischbach recommended to Council the appoint of Al Tolchinski to the open seat on the Board of Zoning Appeals. Council discussed. Mr.

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Hauser moved to have the Mayor appoint Mr. Tolchinski to BZA. Ms. Swaney seconded the motion. By voice vote, motion passed. Mayor Fischbach reported that Memorial Day Services went very well.

Old Business:

Mayor Fischbach asked Mr. Eldridge to report on the status of Rapids Road and Cook Street. Mr. Eldridge reminded Council that there will be a walk thru of Rapids Road at 9:00 AM on the 29th. Everyone attending is asked to meet at West Center and Rapids.

Cook Street mill and fill project is just about ready. Mr. Hess will send out for bids next week.

Mr. Hess responded to Council's questions about who is doing engineering. For Rapids Road Mr. Hess reported that he is the engineer appointed by Council for the job. And the Cook Street Project will not reach the level of requiring the Village to seek qualifications.

New Business:

Mr. Paquette reported to Council that he would be attending a North East Ohio Planning and Zoning Workshop on the 28 of June and that Ms. Dahlhausen will be on vacation that day so the Village office will be closed. Mayor Fischbach expressed an interest in attending or covering the office. Mr. Paquette will make reservations for himself.

Mr. Hauser reported that the first choice for seasonal labor, Jill Bartholomew, declined our offer, having found other employment. Mr. Hauser went on to recommend Mr. Jack Ostoyic. Mr. Motil and Mr. Hauser have met and interviewed Mr. Ostoyic and think he will be a great addition. Mr. Hauser moved to employ Mr. Ostoyic as seasonal laborer for the Village of Burton at \$8.00/hour. Mrs. Lillibridge seconded the motion. Roll Call: Charles Hauser – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes, Craig Ronyak – Yes. Motion approved.

Ms. Swaney moved to enter executive session at 7:40 PM to discuss pending litigation. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Hauser – Yes. Entered executive session.

Ms. Swaney moved to leave executive session at 8:15PM and Mr. Johnston seconded the motion. Roll Call: Linda Swaney – Yes, Brian Johnston – Yes, Dianne Lillibridge – Yes, Craig Ronyak – Yes, Charles Hauser – Yes.

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Mayor Fischbach asked for a motion to return to regular Council. Ms. Swaney moved to return to regular session and Mr. Hauser seconded the motion. Roll Call: Linda Swaney – Yes, Charles Hauser – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Craig Ronyak – Yes.

Council opened a discussion of the next step they would like to take in resolving the issue of a lease agreement with Burton Chamber of Commerce. Mr. Johnston moved to have Mr. Hicks contact the attorney for the Burton Chamber of Commerce and request that they agree to meet to negotiate on the concept of the proposed lease or the Village would take legal action to resolve the question of control of the Log Cabin in the Park. Mr. Hauser seconded the motion. Roll Call: Brian Johnston – Yes, Charles Hauser – Yes, Dianne Lillibridge – No, Linda Swaney – Yes, Craig Ronyak – Yes. Motion passed.

Mr. Ronyak brought up the subject of mowing tree lawns, specifically the Village mowing of the tree lawns along Main Street. Mr. Ronyak contended that the tree lawns were the responsibility of the property owners. To mow just those along Main Street was to offer a service not generally available to the remainder of the residents of the Village. Mayor Fischbach argued that the Main Street was the first impression people visiting the Village had and made it more inviting. Council discussed the pros and cons of mowing some but not all tree lawns. Ms. Swaney asked to Mayor define the business area he wanted mowed. Mr. Hicks suggested a vote along the lines of continuing or discontinuing mowing the areas currently being attended to by the Village. Mrs. Lillibridge moved to continue mowing those areas already being mowed by the Village and Mr. Johnston seconded the motion. Roll Call: Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – abstain, Craig Ronyak – No, Charles Hauser – Yes. Motion passed.

Mr. Johnston moved to adjourn and Mr. Ronyak seconded the motion. Meeting adjourned at 8:52 PM.

Mayor/President Pro-tem

Fiscal Officer