

**Council Meeting  
8 September 2014**

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

**Roll Call:** Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Jennell Dahlhausen - Yes, Charles Boehnlein- Yes, Roberta Dobay- No.

**Visitors:** Jack Garner, Vicki Blair, Joe Kozial, Debbie Palmisano, Chad Eldridge, Rick Gruber, Todd Hicks, Dianne Lillibridge, Judy Beaumier, Newell Beaumier

Ms. Dobay arrived at 7:02 PM

**Zoning:**

Mr. Gruber reported Ron and Sylvia Jurcak had applied for a zoning permit but were refused. The Jurcak's have asked for a variance before the Board of Zoning Appeals. Mr. Gruber received and granted a permit to demolish the home on Peckham that was damaged in the July flood event. The house has been removed.

Mr. Gruber discussed several requests for permits whereby he determined that a permit was not necessary. The plot plans for Western Reserve/Crick Contracting have not been provided to Mr. Hess yet. Mr. Gruber is looking into whether Parcel 05-019100 is a buildable lot.

During the Fair, Mr. Gruber was notified of a complaint by Mr. Bates of the Fairboard regarding advertising on vehicles within 1000 feet of a fair entrance. Mr. Gruber was not able to determine if parking on private property applied. Mr. Hicks stated that Ohio revised code chapter 1711 probably did not apply in the case of political speech. The 1000 foot notice may apply to business advertising. Mr. Gruber/Council suggested a letter to residents in the area explaining the regulations regarding signs and advertising. Mr. Boehnlein brought up a concern about cars parking on the tree lawn during fair. In the past, Mr. Boehnlein stated, a letter was sent to residents in the area reminding them not to park vehicles on the tree lawn. Mr. Boehnlein and council thought this would be a good thing to do again.

Mayor Fischbach recognized Debbie Palmisano. Ms. Palmisano, as the contracted arborist for the Village, reported on activities with the Tree Commission for the month of August. Lon Miller on North Cheshire has expressed a desire to preserve a maple tree in his yard. The tree is not in the Village right of way according to Ms. Palmisano. Ms. Palmisano recommended the Tree Commission pay for the cabling and pruning of the tree as a way to preserve it, even though it is not in the right of way.

Ms. Palmisano reported that there are 6 trees authorized to be planted as part of the Rapids Road project. She asked for clarification on planting trees outside of the right of way of the Village in certain instances. Ms. Palmisano reported that the Tree Commission voted to recommend to Council that the Village assume 2 years of responsibility for trees planted on private property by the Village after which it will be the responsibility of the property owner. Mayor Fischbach polled Council on this suggestion. Council generally agreed. Mr. Garner objected to the Village having any responsibility for the trees. Mr. Ronyak agreed with that statement. Mayor Fischbach suggested a form be developed that the property owner would sign to acknowledge their responsibility for the tree. Council generally agreed. After discussing further Mayor Fischbach directed Ms. Palmisano to return the question to the Tree Commission for further action.

**Engineers Report:**

Mr. Eldridge reported for Hess and Associates. A quote request for point repairs was sent out and the results were turned back into the Mayor and Street Commissioner. Mayor Fischbach and the Street Commissioner are looking into revising the request and doing a portion of the work in house. Rapids Road is substantially complete. Mr. Hess and Mr. Eldridge will be walking through the job site in the next week to create a punch list of items to finish up the job.

Mayor Fischbach commented on the point repair request noting that the single quote that was received was roughly \$37,000. The Mayor felt this was too high and is looking into alternatives.

Mrs. Lillibridge asked if there were still detour signs up turning traffic onto Carlton. Mr. Eldridge stated that there were not but he would check into it.

Mr. Paquette asked Mr. Eldridge and Ms. Palmisano to follow up on the responsibility of choosing and planting the six replacement trees on Rapids Road. Mr. Paquette confirmed with Mr. Eldridge that the budget for all six trees including purchase and planting, was a lump sum of \$2,000. Mr. Eldridge will investigate the specifications in the contract and provide an answer to Ms. Palmisano.

**Fire Department:**

Not available to report.

**Ordinances and Resolutions:**

Ms. Swaney introduced Resolution 2014-18, approving the Fiscal Officer to request an amended certificate of resources and permanent appropriations for the County Auditor. Ms. Swaney moved to waive further readings and Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Roberta Dobay – Yes, Jennell Dahlhausen – Yes, Craig Ronyak – Yes, Tom Blair – Yes.

Ms. Swaney moved to adopt Resolution 2014 – 18 and Mr. Boehnlein seconded the motion. . Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Roberta Dobay – Yes, Jennell Dahlhausen – Yes, Craig Ronyak – Yes, Tom Blair – Yes. Motion passed.

**Fiscal Officer**

Mayor Fischbach asked for a motion to pay approved bills. Mr. Ronyak 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 August 2014 meeting minutes. Mr. Boehnlein moved to adopt and Ms. Dahlhausen seconded the motion.

**Mayors Report:**

Mayor Fischbach reported that Kirby Date of Cleveland State University will meet with him next Tuesday regarding budgeting for the strategic plan.

There were no significant issues at the Fair.

**Committees**

BPA, Fairboard, Ordinance Review – Craig Ronyak

Mr. Ronyak reported that the fair was success and the Board of Public Affairs meets on Tuesday.

Historic District Review Board, Cemetery Board, Trees Commission, and Grants- Roberta Dobay

Mayor Fischbach assigned Ms. Dobay to the above committees.

Planning Commission, Fire Department, BZA – Tom Blair

Mr. Blair reported that he spoke with Chief Lewis and would be attending their meetings.

Historic District Assoc., Newsletter, Safety Town, Community Programs – Linda Swaney

Nothing to report.

Finances, Local Government– Charles Boehnlein  
Finance Committee meets on 17 Sep 2014 at 4:30 PM to discuss budgets and budgeting.

BCPA and Planning Commission, - Jennell Dahlhausen  
The Mayor appointed Ms. Dahlhausen to BCPA and Planning Commission

**Old Business:**

**New Business:**

Mr. Boehnlein noted that there is not a trash can at the south end of the Park. Mayor Fischbach stated that the Village will put one there.

Mr. Boehnlein moved to enter executive session to discuss pending litigation. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein –Yes, Craig Ronyak – Yes, Roberta Dobay – Yes, Jennell Dahlhausen – Yes, Linda Swaney – Yes, Tom Blair – Yes. Council entered executive session at 7:35 PM. Mr. Blair excused himself.

Mr. Ronyak moved to leave executive session and return to regular session. Mr. Boehnlein seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Boehnlein –Yes, Roberta Dobay – Yes, Jennell Dahlhausen – Yes, Linda Swaney – Yes. Return to regular session at 8:23 PM.

Mr. Ronyak moved to adjourn and Mr. Blair seconded the motion. Meeting adjourned at 8:24 PM.

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Mayor/President Pro Tempore

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Fiscal Officer