

**Council Meeting
11 May 2015**

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

Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Roberta Dobay – Yes, Jennell Dahlhausen – Yes, Charles Boehnlein- Yes.

Visitors: Jack Garner, Joe Kozial, Debbie Palmisano, Sharon Wolfe, Rick Gruber, Rick Smigelski, Danielle Young, Marcianne Kimpton, Jesse DeWeese, Lee Koroshes, Jane Koroshes, Chip Hess.

Mayor Fischbach recognized Mrs. Sharon Wolfe. Mrs. Wolfe introduced herself as a Village resident of eight years and asked to be the newest member of the Tree Commission. Mayor Fischbach asked for a motion from Council to appoint Mrs. Wolfe to the Tree Commission. Jennell Dahlhausen moved to appoint Sharon Wolfe to the Tree Commission and Mr. Blair seconded the motion. By voice vote motion was approved. Mayor Fischbach swore her in to the Tree Commission.

Mr. Koroshes addressed council about water running down East Center Street near Peckham and asked if it was a leak. Mr. Hess replied that there is an old storm sewer that is blocked and a spring contributes to the water and would dry up later in the summer.

Mr. Garner asked for an update about the log cabin litigation. Mayor Fischbach stated that it was still being litigated and that the Village was unable to supply any additional information at this time.

Fire Department Report:

Mayor Fischbach recognized Mr. Jesse DeWeese. Mr. DeWeese is a board member on the Burton Volunteer Fire Department. Mr. DeWeese gave a written report to Council. Mr. DeWeese also stated that Claridon Township had voted to sign a three year contract with a 5% increase each year not using the Chardon formula. Claridon was not paying anything toward the air compressor. Mr. DeWeese asked if Council had decided on the contract presented. Mayor Fischbach stated that Council was still reviewing.

Police Report:

Chief Smigelski reported for the month of April 2015. There were 115 calls, no arrests and 39 traffic stops. 3685 miles were put on the police cars.

Engineers Report:

Mr. Hess reported that Ronyak Paving is almost done with the punch list for Rapids Road. Final grading and seeding is proceeding.

Wastewater treatment plant is just holding for a potential law change that would allow for a thirty year loan.

Pump Tank contracts are ready for signature and release.

Mr. Hess reported that Mr. Preston at Preston Motors wanted to expand the pavement berm on Rt. 87 west of Rapids to allow vehicle transporters to pull farther off the road.

Mayor Fischbach asked about the work performed for Ronyak Paving regarding a possible lot split. Mr. Hess stated that he received a request from Mr. Gruber and Mr. S. Ronyak to look into the possible lot split for a driveway. Mr. Hess stated that he had assumed that the Village would charge back the cost to the resident and that Mr. S. Ronyak had applied for a lot split and paid the deposit. Mr. Boehnlein asked about the work done for new construction on Colony Lane. Mr. Hess again stated that he had spoken with Paul Eaton, Rick Gruber and the home owner and assumed the Village would charge back the costs to the home owner. Mr. Gruber reported that no zoning permit has been applied for yet.

Arborist Report:

Ms. Palmisano, Village Arborist, stated that pruning was being done at the gazebo. A planting plan was finalized. Mrs. Gordon asked whether her tree was in the right of way. The determination was that it was not and would be her responsibility. Tree City will be held in Sandusky on May 12. Ms. Palmisano and Mrs. Pikus will be attending. In house tree work will commence June 3.

Zoning:

Mr. Gruber reported that Mr. J. Wayman received a permit to install a fence. An Historic District Review Permit was granted to the Burton Public Library for replacing the windows in the basement. A potential renter of Mr. Subotnik's property at 14614 E Park Street requested clarification of patio service in the zoning for the area. Mr. Freiling's zoning appeals hearing for conditional use is scheduled for 28 May. Mr. Finnerty is in receipt of a notice from the Village to improve or repair his property at 14563 E Park Street. Mr. Finnerty is making plans to restore the structure after the tenants move out. The Arnold property at 14532 N Cheshire has not been mowed and Mr. Gruber is seeking the owner to get it done. The Geauga County Fairgrounds is seeking to install a new lighted sign at the Main Gate of North Cheshire. It will require zoning and a variance because of size and location. The Fairboard representative is aware of the Village regulations concerning lighted signs.

Mrs. Kimpton asked about the number of liquor licenses available to the Village. The Mayor thought there was no limit. Chief Smigelski thought it was based on population. Mr. Paquette clarified that there were four licenses in the Village and all were taken.

Ordinances and Resolutions:

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Ms. Swaney introduced Resolution 2015-11, designating Lenore Pikus to attend mandated Ohio House Bill 9 Public Record Training for elected council members as their representative and placed it on first reading. Ms. Swaney moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Jennell Dahlhausen – Yes, Roberta Dobay – Yes, Charles Boehnlein – Yes.

Ms. Swaney moved to adopt Resolution 2015-11 and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Jennell Dahlhausen – Yes, Roberta Dobay – Yes, Charles Boehnlein – Yes. Resolution 2015-11 is adopted.

Fiscal Officer Report:

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.

Mayor Fischbach asked for comments or approval of the minutes of 4 May 2015. Mr. Blair made one correction, in the attendance section he wanted it noted that he was prepared to attend but excused. Ms. Swaney moved to accept the minutes of 4 May 2015 as amended. Mr. Boehnlein seconded the motion. By voice vote, motion approved.

Mayor Fischbach asked for comments or approval of the minutes of 27 April 2015. Mr. Ronyak moved to accept the minutes as written and Ms. Dahlhausen seconded the motion. By voice vote, motion approved.

Mayors Report:

Mayor Fischbach reported that he was approached by Mr. K. Goskey to see if Council wanted to purchase the Belles Restaurant property at 14608 West Park. The price is \$210,000 and the owners are willing to assist the Village in financing any improvements needed to utilize the building as administrative offices. Doors are open at 8:30 PM this evening to have a look inside.

Mayor Fischbach had nothing to report on the status of the Imars building.

Mayor Fischbach reported that he was looking into a request for a revitalization district. Mayor Fischbach read a section of the ORC regarding the formation and makeup of revitalization districts. Mayor Fischbach discussed the importance and usefulness of revitalization districts and asked Council to pass a resolution indicating that the Village is in favor. Mr. Boehnlein introduced Resolution 2015-13, authorizing the Mayor and Council of the Village of Burton to form a revitalization district and moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Jennell Dahlhausen – Yes, Roberta Dobay – Yes, Linda Swaney – Yes. Motion passed.

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Within the vote to waive readings Mr. Blair asked if the lawyers had been contacted. Mayor Fischbach stated he had been in contact with the lawyers. Ms. Dahlhausen asked if this was just to explore if the Village wanted a revitalization district. Mayor Fischbach said yes.

In discussion Mr. Blair expressed his concern that Council was moving too fast with this legislation without a full explanation or complete information. Mr. Blair recommended that Council wait to vote on this until the next meeting.

Mr. Boehnlein moved to adopt Resolution 2015-13 and Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – No, Jennell Dahlhausen – Yes, Roberta Dobay – Yes, Linda Swaney – Yes. Resolution 2015-13 passed.

Mayor Fischbach appointed Charles Boehnlein, Linda Swaney, Linda Stone and Jennell Dahlhausen to the committee investigating a revitalization district for the Village. Ms. Dahlhausen asked what the lawyers were doing. The Mayor said that they were making sure we were doing this legally. Mrs. Kimpton asked who was paying for this. Council was unsure how to answer her question. Ms. Swaney suggested the committee prepare a presentation to bring before Council and the public.

Council Committees:

BPA and Local Government – C. Ronyak

Mr. Ronyak reported that BPA is looking into scrapping the old water meters as they are replaced by the new remote read units. The cost of this project is approximately \$43,000 a year for each of the next three years. The lagoons have to be cleaned as part of the wastewater treatment plant project. Burton Township had a short meeting that did not cover anything.

BCPA, Newsletter – J. Dahlhausen

BCPA meets on Thursday 21 May

Health District Rep, BZA, Finance – C. Boehnlein

Mr. Boehnlein reported that the BZA meeting scheduled for 28 May was covered by Mr. Gruber. Health District has not met. Mr. Boehnlein suggested to Council that they start to consider strategies and ideas for the police and fire levies.

Historic District Association, Grants, Century Village – L. Swaney

The Historic District Association is holding Founders Day June 14. Members of the public to receive recognition from the Historic District Association for their contributions to Historic preservation in the Village are K. Goff, D. Ronyak, P. Preston, K Wright, and G. Saffron. The Preservation award went to Mr. Rulison.

Cemetery, Trees and Parks – R. Dobay

Cemetery has purchased flowers for the urns in the cemetery. Ms. Dobay thanked Mrs. Wolfe for becoming a member of the Trees Commission. Arbor Day will be held in October alongside of the Apple butter Festival to try to generate more interest.

Schools, Chamber of Commerce, Planning Commission – T. Blair
Mr. Blair had nothing to report on schools. Chamber of Commerce has prepared the flower beds in several areas. The Strategic Planning Committee meets on 13 May 2015.

Old Business:

Mayor Fischbach opened a discussion on holding summer hours, one meeting a month for the summer. Council discussed. Ms. Dobay suggested that given how short the second meeting was, Council could get by with one meeting per month or having an earlier, shorter meeting for the second meeting. Mayor expressed his thoughts on having two meetings per month. Ms. Dahlhausen suggested that we could hold special meetings as needed. Ms. Dahlhausen made a motion to hold one meeting per month for June, July, and August on the second Monday of each month. Ms. Dobay seconded the motion. Council discussed further. Mr. Boehnlein was opposed and felt that Council was expected to meet twice a month. Ms. Swaney asked for an improved agenda to make the second meeting more worthwhile. Mr. Koroshes agreed with Mr. Boehnlein and added that he felt that by limiting resident inputs to only one meeting a month Council was doing a disservice to the public.

Roll Call for the motion on the floor: Jennell Dahlhausen – Yes, Roberta Dobay – Yes, Tom Blair – Yes, Charles Boehnlein – No, Linda Swaney – No, Craig Ronyak – No. Mayor Fischbach cast the tie breaking vote – No. Motion does not pass. The Council will continue to meet on the 2nd and 4th Monday's of the month. Mayor stated that there will be more on the agenda and that he will be opening up the second meeting to public comment.

New Business:

Mr. Koroshes asked when the next Council meeting was. Mayor Fischbach stated that he was changing it to 18 May unless Council objected. Ms. Swaney asked how the Council handbook affected missing a meeting if the meeting date changed. Mayor Fischbach stated that Council would not be affected. Mr. Blair thought the date should remain the same. Mr. Blair asked Mr. Paquette about bills. Mr. Paquette stated that they come in sporadically but could be handled. A suggestion was made that Council could authorize the payment of regular and routine bills. Ms. Dahlhausen asked Mr. Paquette if he had anything that needed to be done at the second meeting. Mr. Paquette stated that he had an Ordinance that needed to be passed on the 26th of May and could not be done sooner because of advertisement limitations. Mayor Fischbach stated that the Ordinance could be delayed until June. Council

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decided not to change to the date of the second meeting, keeping it on Tuesday 26 May because of Memorial Day Holiday.

Ms. Dahlhausen moved to adjourn and Mr. Ronyak seconded the motion. Meeting adjourned at 8:03 PM.

Mayor/President Pro Tempore

Fiscal Officer