

**Council Meeting
26 October 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, Marcianne Kimpton, Judy Beaumier, Joe Kozial, Lisa Hernandez, Dianne Lillibridge, James Koster, Sally Harmasek, Gwen Cooper, Richard Smigelski, Nicholas Miltner, Jeff Coleman, Todd Hicks.

Mayor Fischbach recognized visitors to the regular Council meeting. Mrs. Harmasek was recognized to speak. Ms. Harmasek inquired about the stop sign most recently placed on Seco Blvd at Elmar. Mrs. Harmasek asked who makes the determination for placement. Mayor Fischbach stated that the Chief of Police makes the decision. Ms. Harmasek went on to explain that people either run the sign or block her driveway. Those drivers end up looking into her front window. Mr. Garner agreed with her that many drivers don't see or ignore the sign. The Mayor stated that he would ask the Chief about the matter when he arrives at this meeting.

Mayor Fischbach recognized Mr. Jeff Coleman. Mr. Coleman brought up a concern about the 2 mill replacement police levy on the ballot in November. Mr. Coleman noted that the current 2 mill levy only brings in around \$38,000 per year. The replacement levy would bring in around \$56,000 per year. Neither amount, he stated, was sufficient to fund the police department, which budgets around \$286,000 per year. Mr. Coleman felt that Council needed to consider some kind of cutbacks be made including moving to a possible part time force. The Village was not able to fund the police department with this level of a levy. Mr. Coleman did say that he could not vote for the levy at this time. Mr. Coleman also addressed the idea of saving money. The idea of finding \$100,000 in savings each year as suggested by Mr. Boehnlein was good. Mr. Coleman suggested that one way to do that was reduce staffing at the Water/Sewer plant to one full time individual. Mr. Coleman cited EPA plant classification and required operation levels as a reason for his suggestion. The Mayor and Mr. Koster stated that the plant needed two operators to cover vacations, sick time, and dangerous operations involving chemicals and confined spaces. Mr. Coleman suggested getting coverage from neighboring communities as needed. Mr. Coleman argued that the Village could save money that could be applied elsewhere.

Chief Smigelski arrived at the meeting. Mayor Fischbach addressed Chief Smigelski and asked for an explanation as to what was going on with the stop sign on Seco. Chief Smigelski explained that as safety director, he had received a complaint from a resident on Seco that cars cutting through from Rapids to West Center were missing Elmar and ending up turning around in his driveway.

Chief Smigelski noted that the 'no outlet' sign had not worked so a stop sign was installed. Ms. Harmasek asked if it only took one person and why Council didn't vote on something like that. Chief Smigelski stated that it was within the Safety Directors authority to establish traffic control signs but that Council could make the final decision by motion. Council discussed. Mr. Boehnlein moved to have the stop sign on Seco at Elmar removed and Ms. Swaney seconded the motion. By voice vote, the motion passed. Mayor Fischbach directed Chief Smigelski to remove the sign.

Mayor Fischbach then asked Chief Smigelski to explain to Council and those present why the Department costs so much. Chief Smigelski reported that the Department has close to 1200 calls so far this year including some significant drug arrests. The regular presence of patrol cars in the Village acts as a significant deterrent to criminal activity and provides a quick response to residents calls for assistance that might otherwise go unanswered by a Sheriff's office handling higher priority calls. Mayor Fischbach stated that County prosecutor Flaiz has praised the Department as being highly effective and doing a good job. Mr. Ronyak and Ms. Swaney pointed that Mr. Coleman (Mr. Coleman left the meeting after making his statement) did not appear to be disparaging the Police Department, but rather pointing out the discrepancy in funding. Mr. Hicks added that most police departments are not totally funded by levy.

Fiscal Officer:

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

Mayor Fischbach asked for a motion to approve or amend the minutes of 28 September. Ms. Dahlhausen had one correction; the title date should read 28 September vice 24 August. Ms. Dahlhausen moved to accept as amended. Mr. Boehnlein seconded the motion. By voice vote motion passed.

The minutes of 5 October will be presented at the next meeting.

Mayor Fischbach asked for comments from Council on the 2016 budget as proposed. Mr. Paquette offered an initial clarification relating to statements made by Mr. Coleman earlier in the meeting. Water and Sewer funds are held separate from General funds and cannot be used to pay for anything other than things directly related to water and sewer operations. Reducing the staffing at the water and sewer plant would not help the bottom line of the General funds at all. Mayor Fischbach asked Mr. Koster if the new plant would need three employees. Mr. Koster stated that the level of operation was not settled yet. Ms. Dahlhausen asked about the cable station payment. Mr. Paquette stated that he would check to see when the contract expired. Mrs. Lillibridge asked for an explanation of how cancelling the cable station payment saved provided money to spend. Mr. Boehnlein explained that the Cable Franchise fee received by the Village did not have to be used to fund G-TV. The Village could use those

funds as they wished. Ms. Dahlhausen recommended not hiring a third street employee until the budget costs were more thoroughly reviewed. Ms. Dahlhausen mentioned that perhaps tree trimming and planting could be scaled back. Ms. Dahlhausen also asked about the carry over remaining in the E09 Burton Health Care Fund. Mr. Paquette stated that he was still researching where to put the money as it does not appear to be owed to Burton Health Care. The Fire Department has not finalized a contract for this year and the Village will need to work out one for 2016. Mr. Boehnlein reported that the Fire Department had been expected at this meeting with a signed contract. Mr. Paquette pointed out that the only capital project for 2016 was a proposal to chip and seal Spring Street.

Ordinances and Resolutions:

Ms. Swaney introduced Ordinance 2286-15, to amend chapter 171 of the Codified Ordinances of the Village of Burton regarding municipal income tax, and placed it on first reading.

Ms. Swaney introduced Ordinance 2288-15, accepting the HCC Public Risk of Ohio property and liability insurance contract and authorizing the Mayor and the Fiscal Officer to enter into an agreement with Pease Kerr Canfield Insurance Partners as agents for HCC Public Risk of Ohio in an amount not to exceed \$14,059 and declaring an emergency, and placed it on first reading. Ms. Swaney moved to waiver further readings. Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Tom Blair –Yes, Jennell Dahlhausen – Yes, Roberta Dobay – Yes, Craig Ronyak – Yes. Motion passed.

Ms. Swaney moved to adopt Ordinance 2288-15. Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Tom Blair –Yes, Jennell Dahlhausen – Yes, Roberta Dobay – Yes, Craig Ronyak – Yes. Ordinance 2288-15 is adopted.

Ms. Swaney introduced Ordinance 2289-15, to make appropriations for Current Expenditures and other Expenditures of the Village of Burton during the fiscal year ending December 31, 2016, and placed it on first reading. Mr. Boehnlein moved to waive further readings. Mr. Blair seconded the motion. Roll Call: Charles Boehnlein – Yes, Tom Blair – Yes, Jennell Dahlhausen - Yes, Roberta Dobay – Yes, Linda Swaney – Yes, Craig Ronyak – Yes.

Mr. Boehnlein moved to adopt Ordinance 2289-15. 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. Ordinance 2289-15 is adopted.

Ms. Swaney introduced Resolution 2015-18, declaring it necessary to levy a tax in excess of the 10 mill limitation and declaring an emergency and placed it on first reading. Mr. Boehnlein 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 is approved.

Ms. Swaney moved to adopt Resolution 2015-18. 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 2015-18 is adopted.

Mayors Report:

Mayor Fischbach had nothing to report

Old Business

Mayor Fischbach opened a discussion on one half percent increase or one quarter percent increase of the income tax. Council discussed the need for the increase. Ms. Dahlhausen asked if Council was going to go through the budget line item by line item as this would help clarify the issues regarding any income tax increase and help define for the public what Council is doing to cuts costs and justify the increase. Mayor Fischbach stated that he would setup a finance workshop meeting in the first part of November just to go over the budget.

New Business:

Mayor Fischbach stated that he, Mr. Boehnlein, Mr. Motil and Mr. Hansel had interviewed the final candidates for the open Street laborer position today and he was recommending that Council vote to hire the individual selected. Council asked to see the application, which the Mayor then provided. Mr. Ronyak was against hiring a third Street employee. Mr. Ronyak recommended contracting for part time help during leaf and snow removal and asked Chief Smigelski to look into finding this additional help. Ms. Dahlhausen stated that she felt uncomfortable voting for a new employee at this meeting because there was insufficient time to look over the proposed candidate and one of the proposals in the budget review to be held next month was whether a third street employee was needed or not. Mr. Ronyak argued against hiring a third street employee because part time help would be much less expensive. Ms. Dobay asked if Street Department worked overtime this summer. Mr. Paquette provided a qualified yes, he thought they had but they had also taken vacation and sick time. Ms. Swaney asked Chief Smigelski if it was feasible to use part time employees for snow removal and other projects. Chief Smigelski stated that the Street Department had worked hard all summer and gotten a lot of projects done. During the winter a three man crew was essential for snow removal especially in big storms and for sidewalk clearing. The Street Department would get its job done with whatever the Council determined was the appropriate manning level however a three man crew was the preferred staffing level. The Mayor and Council discussed further. Mr. Ronyak moved to hold off voting on the hiring of the third street employee until after the budget meeting. Ms. Swaney seconded the motion. Roll Call: Craig Ronyak – Yes, Linda Swaney – Yes, Tom Blair – Yes, Jennell Dahlhausen – Yes, Roberta Dobay – Yes, Charles Boehnlein – Yes. Motion passed.

Mrs. Lisa Hernandez asked if the Village had sufficient salt for the upcoming winter. Chief Smigelski explained that the salt was contracted for and available

at the County salt dome however the Village still owed some salt to ODOT. The cost of salt is much lower this season than last.

Chief Smigelski asked Council to authorize street repairs at multiple location around the Village. The lowest quote received was from Ronyak Paving. Others quoting were either higher or did not follow the asked for price call outs. Ronyak Paving quoted \$40,000 for the work to be completed this year before the asphalt plants closed. Mr. Boehnlein moved to accept the Ronyak Paving bid. Mr. Blair seconded the motion. Roll Call: Charles Boehnlein – Yes, Tom Blair – Yes, Jennell Dahlhausen – Yes, Roberta Dobay – Yes, Linda Swaney – Yes, Craig Ronyak – Abstain.

Mrs. Kimpton asked is Spring Street would be closed to parking while the street repairs were taking place. Chief Smigelski stated that it would.

Ms. Dahlhausen asked if the House Bill 5 legislation regarding income tax was taken care of. Mr. Paquette recommended passage of Ordinance 2286-15 at the next meeting.

Ms. Dahlhausen asked about the Planning Commission and the property management ordinance. Mayor Fischbach stated that the Planning Commission was meeting on 27 October to discuss that and several potential changes to zoning.

Ms. Dahlhausen moved to adjourn and Ms. Swaney seconded the motion. Meeting adjourned at 8:40 PM.

Mayor/President Pro Tempore

Fiscal Officer