

Burton Village Council Minutes
22 August 2016

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

Roll Call: Charles Boehnlein – Yes, Tom Blair – Yes, Roberta Dobay – Yes, Craig Ronyak – Yes, Lisa Hernandez – Yes, Charlie Blair – Yes.

Visitors: Dianne Lillibridge, Rick Smigelski, Rick Gruber, Todd Hicks, Joe Kozial, Chip Hess, Debbie Palmisano

Mayor Koster asked for a motion to approve or amend the minutes of 8 August 2016. Mr. Boehnlein moved to approve the minutes as written and Mr. C. Blair seconded the motion. By voice vote the motion passed.

Mayor Koster asked for a motion to approve or amend the agenda for 23 May 2016. Mayor Koster added a discussion of a bed tax under old business. Mr. Ronyak moved to amend the agenda and Ms. Dobay seconded the motion. By voice vote the motion passed.

Standing Committees

Long Range Planning Committee – Tom Blair

Mr. T. Blair reported that the Planning Commission will meet September 6 to work on zoning changes in the Village. Mayor Koster added that the Planning Commission may include the Board of Zoning Appeals. The Board of Zoning Appeals has sent back to the Planning Commission a request for a bed and breakfast.

Finance, Funding and Personnel Committee – Charles Boehnlein

Mr. Boehnlein reminded Council that new or increased sources of revenue for the Village General fund needed to be identified. The Finance committee was recommending that Council consider a one half percent increase in the Village income tax.

Safety Committee– Craig Ronyak

Mr. Ronyak reported that he and Chief Smigelski went over the possible locations for handicap access in the Main Street area of North Cheshire. The suggested sites in the center of the business area would require extensive remodeling to the curbs and creation of ramps. The south end of the business area has an existing spot and access on both the east and west side of the street. The north end would require the same effort and expense as the central sites.

Mr. Ronyak complemented Chief Smigelski on Safety Town. Chief Smigelski reported that 45 children attended. The program was the same as the previous year. Mangia Mangia and Tom Blair donated food.

Pictures of Safety Town are on the Village of Burton Police Department Facebook page.

Street Committee – Roberta Dobay

Ms. Dobay reported that she had reviewed the proposed Capital improvement including driving the listed streets to understand their described condition. She will be walking the listed sidewalks as well.

Council Reports on Boards and Commissions

BPA – Charlie Blair reported that the BPA had discussed sludge removal the wastewater treatment plant. Discussed Preston’s bus repair facility and certifying to taxes some late payments.

BZA and HDA– Charles Boehnlein had nothing to report.

Cemetery Board – Roberta Dobay reported that the damaged exit sign had been replaced and then stolen. The Cemetery Board ordered a replacement but is keeping it down until the new driveway is installed. The Cemetery Board authorized an increase in prices charged for custom headstone foundation.

Historic District Review Board – Lisa Hernandez reported that four permits were authorized in the district; one for Dr. Sheppard, one for Christine Hetzler, one for Mark Freiling, and one for the Hendrock’s. Mrs. Hauser, president of the Historic District Review Board, relayed through Ms. Hernandez that a contractor who reviewed the Fire Department property at 13810 Spring Street for the Fire Department had suggested that repairing the structure for use would cost \$6,000 and \$15,000 to tear down. The Fire Department has not returned any permits for demolition or the Historic District Review Board according Mr. Gruber. Mrs. Rausche will address Council on 24 October to present her findings from the historic district survey of Hickox Street.

Planning Commission – Tom Blair reported earlier.

Tree Commission – Charlie Blair reported that the Tree Commission meets 6 September. Arbor Day is being celebrated on 8 October. The Tree Commission has been discussing planting trees. Ms. Palmisano asked Mr. Hicks if a volunteer to the Village would be covered to use a village vehicle for donated work in the Village. Mr. Hicks wasn’t sure. Mayor Koster couldn’t recall a case whereby a volunteer was allowed to use a Village vehicle. Mr. Paquette was asked to contact the insurance agent to find out.

Fiscal Officers Report:

Mr. Paquette provided a Summary of Revenue and Expenses to Council. There were no questions.

Mr. Paquette presented two quotes for road salt to the Village. Mr. Paquette recommended that the Village purchase 300 tons of road salt from the Geauga County Engineer for the coming season. Mr. Boehnlein moved to purchase road salt from the Geauga County engineer. Mr. Ronyak seconded the motion. By voice vote the motion passed.

Mr. Paquette reported that he will attend the Geauga County Budget Commission meeting on 23 August. Mr. Paquette invited Council to join him.

Mr. Paquette reported that the recommended electric supplier change would not affect the Village residents who were members of NOPEC. Mr. Paquette recommended accepting the change of electric supplier offered by Aspen energy. Mr. Boehnlein moved to accept the suggested electric supplier of Aspen energy. Mr. Ronyak seconded the motion. By voice vote the motion passed.

Solicitors Report:

Mr. Hicks had nothing to report.

Police Report:

Chief Smigelski reported to Council for July 2016. There were 116 calls, 27 traffic stops, 5 arrests and 3,415 miles put on the vehicles.

Chief Smigelski reported to Council that Elmer Bollinger had offered to pay half of the cost to landscape the area in front of the Police department.

Chief Smigelski presented pictures of the proposed area for renovation and a drawing with prices from single landscaping firm. The estimated cost as presented was \$5,270 with Mr. Bollinger expected to pick-up \$2,635. Chief Smigelski asked Council to approve expenditure of the funds at this meeting so that the work completed this year. Council asked if Chief Smigelski had sought other donations to complete the work. Chief Smigelski indicated that he had not. Chief Smigelski did state to Council that he had received a donation of \$5,000 from Ronyak Paving. Mayor Koster asked Council to accept both donations by motion. Mr. Boehnlein moved to accept the \$5,000 donation from Ronyak Paving and the \$2,635 promise of funds from Mr. Bollinger. Ms. Dobay seconded the motion. By voice vote the motion passed. Mr. C. Ronyak specifically noted that he was abstaining from the vote. Council and the Mayor then directed Chief Smigelski to obtain donations to meet the remaining funding requirement for the proposed project as needed. Ms. Hernandez asked Chief Smigelski to provide an article about Safety Town for the upcoming newsletter.

Fire Department Report:

The Fire Department was not present to report.

Zoning Inspectors Report:

Mr. Gruber reported that he had just learned that Mr. Preston had not been able to obtain an easement through Mr. Sugar's property for the proposed service garage at 14638 Rapids Road. Mr. Preston is reevaluating his plot plan. Mr. Gruber approved permits to repair a deck at 13725 West Center and build a garage at 14584 Baird Street after some changes. Mr. Gruber stated that Mr. Ford's zoning appeal for 14629 E Park was withdrawn pending review of the zoning by the Planning Commission. Warren's Spirited Kitchen, 14614 East Park, requested a permit to put up a tent over their existing patio area for the approximately two months in September and October. The issue was determined not to be covered by zoning and was forwarded to the Mayor for a Mayor's permit. Mayor Koster stated that a permit put up the tent on a temporary basis was issued for the month of October. Warren's Spirited Kitchen intends to use the area for clambakes and a special event dinner. Mr. Gruber reported that he had denied a permit to enclose a front porch at 13701 West Center by Mr. John Lawrence on the basis of not meeting set back. Mr. Gruber and Mr. Lawrence were discussing options including going before the Board of Zoning Appeals.

Arborist Report:

Ms. Palmisano reported that she was working with the Street department on some removals. Street Department will try mowing in diamond patterns around trees in the park to reduce compaction of soil. Mr. Boehnlein asked if the shrubs around the gazebo could be trimmed or removed.

Engineers Report:

Mr. Hess reported that Mr. Preston is reconfiguring his building after denial of the easement. Mr. Hess stated that he had assisted Chief Smigelski with some aspects of preparing the chip and seal bid for Spring Street. Mayor Koster asked Mr. Hess and Mr. Gruber if they had heard anything from the neighbors of Mr. Sugar and Mr. Preston regarding the proposed building on Rapids Road, Preston's property. No one had heard any complaints aside from the original noise complaints when Preston first took over the property.

Mayor Koster asked for a motion to accept and pay approved invoices. Mr. Boehnlein moved to pay the approved invoices. Mr. T. Blair seconded the motion. By voice vote the motion passed.

Ordinances and Resolutions

Mr. Boehnlein placed Resolution 2016-10, authorizing the Fiscal Officer to pay certified invoices in advance of Council approval, on final reading and moved to adopt. Mr. Ronyak asked for a definition of certified invoices. Mr. Paquette stated that certified invoices were those that had a purchase order or were certified as to available funds. Mr. Ronyak

seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Lisa Hernandez – Yes, Roberta Dobay – Yes, Tom Blair – Yes, Charlie Blair – Yes. Resolution 2016-10 is adopted.

Mayors Report:

Mayor Koster asked Council to be conscious of the fact that contracts for renewal were coming up and Council should be considering their options. The contracts mentioned were the Burton Volunteer Fire contract, Geauga TV contract and the police prosecutor contract. Mr. Paquette asked Chief Smigelski for an email address or phone number to directly contact Mr. Coyne, the police prosecutor. Chief Smigelski stated that he would contact Mr. Coyne this week when he saw him at court. Mayor Koster asked Chief Smigelski about police involvement at the Geauga County Fair. Chief Smigelski stated that the Fair Board pays the sheriff for inside coverage and pays Village officers outside the Fair special duty pay. Mayor Koster asked Chief Smigelski if the police needed permission to put up temporary traffic control signs in the Village. Mr. Hicks answered the question stating that no extra permissions were needed. Mayor Koster asked Mr. Hicks and Chief Smigelski to research the upcoming law regarding use of golf carts on public streets and what its impact would be on the Village.

Old Business

Mayor Koster asked Council to discuss the changes to Chapter 159, Historic District Ordinance and the Property Management Ordinance proposal. Council decided that the best way to review the documents was at a separate meeting. Mr. Paquette was asked to schedule a special meeting to discuss these proposals. Mr. Boehnlein expressed his concerns about government intrusion into what should be strictly a personal problem. Mr. Gruber, noting that just a few properties are acting out of character, suggested making the nuisance ordinance stronger and possibly relying on a committee to lay charges.

New Business

Ms. Dobay brought up the subject of bed tax on rental properties in the Village. Mr. Hicks stated that he was not completely familiar with subject but his initial thought was that it is not legal. Mayor Koster related how the state of Florida has handled a type of bed tax on rentals. Mayor Koster then went on to ask Mr. Hicks about other potential sources of Revenue for the Village. Mr. Hicks stated that he and Mr. Paquette would have to go over the possibilities.

Mr. Boehnlein brought up the cost of just a few of the projects listed on the Capital Improvement Plan. He noted the conditions of the roads were mainly critical and poor with over \$2 million dollars in repairs suggested.

And these roads will only continue to get worse. Traffic patterns are changing and will cause more problems on some of the roads.

Ms. Hernandez asked about the tax review board and provided a list of potential candidates to the Mayor. Mayor Koster informed Council that due to an oversight in the way the new regulations are written the nominations of Ms. Swaney and Mrs. Lillibridge are not acceptable because they were elected officials in the Village within the last five years.

Open Public Participation

Mrs. Lillibridge asked Council who was the member attending the Berkshire Community Planning Association. Council was not sure because it was not on the list of committees. Mr. Paquette explained the position was rolled up into Mr. T. Blair's committee on Long Range Planning. Mayor Koster stated that he was aware of the committee and had been following their meeting. The BCPA has not met in some time. Mrs. Lillibridge then asked about attendance at Burton Township meeting. No one from Council is attending at this time. Mr. Hicks and Mr. Ronyak asked Mrs. Lillibridge if should would be the Village representative to Burton Township, reporting back to Council. Mrs. Lillibridge agreed to be Council representative provided it was by motion. Mr. Ronyak moved to appoint and approve Mrs. Lillibridge as Village representative to Burton Township. Mr. Charlie Blair seconded the motion. By voice vote the motion passed. Mr. Paquette directed to send a letter to Burton Township informing them of the appointment.

Mayor Koster stated that Kent State meets on Thursday.

Ms. Hernandez reminded those present that school starts on 23 August.

Adjourn

Mr. Boehnlein moved to adjourn at 8:44 PM. Mr. Ronyak seconded the motion. By voice vote the motion passed.

Fiscal Officer

Mayor