

Burton Village Council Minutes  
24 October 2016

Mayor Koster called to order a Public Hearing on Ordinance 2305-16, rezoning parcels 05-013100 (14629 E. Park), 05-013300 (13891 E. Center), 05-013200 (13897 E. Center), 05-014300 (Parcel Adjoining 13897 E. Center), 05-017200 (13905 E. Center) and 05-029450 (13931 E. Center) from R-2 (Residence) to R-3 (Multiple Residence), at 7:00 PM. Mayor Koster asked for comments from the public. Hearing none Mayor Koster asked Council if they had any comments. Ms. Dobay stated that she did not believe there was any need for changing any zoning in residential properties. Mr. Boehnlein explained that it was a matter of restating the current zoning to match actual use. Mr. T. Blair stated that at least two of the properties in the ordinance have been historically used as multi family. Ms. Dobay argued that changing the zoning allowed too many properties the option to become bed and breakfasts or boarding lodges. Mr. Boehnlein explained that the Village process of requiring conditional use from the Board of Zoning Appeals effectively allowed the Village to control the number of bed and breakfasts wanting to operate in the R-3 zoned areas. There being no further comments, Mayor Koster asked for a motion to close the Public Hearing. Mr. T. Blair moved to close the hearing and Mr. Ronyak seconded the motion. By voice vote the motion passed. The Public Hearing is closed at 7:10 PM.

Mayor Koster called to order the regular meeting at 7:10 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, Joe Kozial, Debbie Palmisano, Jack Garner, Ann Wishart, Marcianne Kimpton, Pat Linn, Judith Beaumier, Brian Wendl, Jacqueline Samuel, Brian Passow, Hank Penttila, J. Phipp.

Mayor Koster asked for a motion to approve or amend the Council minutes of 11 October 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 24 October 2016. Mr. Ronyak moved to approve the agenda as written. Mr. Boehnlein seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Boehnlein – Yes, Lisa Hernandez – Yes, Roberta Dobay – Yes, Tom Blair – Yes, Charlie Blair – Yes. Motion passed.

## **Standing Committees**

Long Range Planning Committee – Tom Blair

Mr. T. Blair had nothing to report.

Finance, Funding and Personnel Committee – Charles Boehnlein

Mr. Boehnlein reported that he and Mr. Paquette were working on the 2017 budget to present to Council at the next meeting.

Safety Committee– Craig Ronyak

Mr. Ronyak reported that he and Chief Smigelski were still working on determining the best location for handicap parking spaces along North Cheshire. Mr. Ronyak and Chief Smigelski intend to conduct a survey of the business owners to make the best use of limited spaces.

Mr. Ronyak stated that the AAA safe driving course information was now available. Mr. Ronyak will work with Ms. Hernandez to promote the event and obtain a possible numbers of attendees to provide the course sponsor before setting a date.

Mr. Ronyak touched back to the stop sign that was placed then removed from the intersection of Seco and Elmar. Mr. Ronyak stated that he had visited the intersection and noticed traffic that tended to proceed at a high rate of speed through the intersection. Mr. Ronyak recommended reinstalling the stop sign at distance from the corner so as not to block the driveway. Other suggestions offered included speed bumps, yield signs and increased police patrols. Mr. Ronyak will discuss further with Chief Smigelski.

Mr. Ronyak reported to Council that the Burton Volunteer Fire Department had presented a five year contract proposal to the Village asking for 7.5% for each of the first three years and 6% each of the remaining two years. Mr. Ronyak asked Chief Wendl if he would explain the need for the proposed increase. Chief Wendl stated that he believed it was to get the Fire Department up to a certain point (general maintenance) and bring up salaries. The Council did not act on the proposal. Mr. Ronyak stated that he would propose to the Fire Department that they come back with a two year contract limited to a 5% increase each year. Mayor Koster also mentioned that consideration should be given to developing a separate EMS contract and Fire Contract in the future. This might include a Council of Governments to manage the contracts similar to a Fire District. Mr. Ronyak will discuss with Burton and Claridon Township representatives.

Street Committee – Roberta Dobay

Ms. Dobay had nothing to report.

## **Council Reports on Boards and Commissions**

**BPA – Charlie Blair** reported that a water main break on South Cheshire was repaired in house.

**BZA and HDA– Charles Boehnlein** had no report from the Board of Zoning Appeals. Mr. Boehnlein was in favor of going forward with strategic planning for the Village especially with open communication between BZA and the Planning Commission.

**BCPA/Township Representative – Dianne Lillibridge** reported that Burton Township rejected the Burton Fire Department contract as presented to them. Revenue continues to be a problem. The Metzenbaum representative was there making a presentation. Ms. K. Ringenbach of the Burton Public Library introduced herself. The trustees discussed the Samuel lot split proposal.

**Cemetery Board – Roberta Dobay** reported that the Cemetery Board had a financial question for the Fiscal Officer regarding the current and future budget.

**Historic District Review Board – Lisa Hernandez** reported that the Board met with the Burton Fire Department regarding 13810 Spring Street. The Fire department was asked to provide a complete quote for rehabbing the building to demonstrate their hardship. They were also asked to provide copies of the quotes for demolition. Those provided were altered by removing identifying names. The Fire Department was asked to contact the Century Village to gauge their interest in obtaining the building. And Mr. Croup recommended that the house be listed on a national website as for sale to be removed. Ms. Hernandez noted that Mrs. Hauser had resigned from the Board and would need to be replaced.

**Planning Commission – Tom Blair** reported that the Planning Commission had not met. Mayor Koster expected to call a meeting in the near future.

**Tree Commission – Charlie Blair** reported that Arbor Day was a success. Ten trees are to be planted. The Board resolved Mr. Lon Miller's issue with his maple tree.

## **Fiscal Officers Report:**

Mr. Paquette provided a Summary of Revenue and Expenses to Council. There were no questions. Mr. Paquette noted to Council that he was still waiting on some input for the 2017 budget but the interim budget was presented to them for first reading tonight. An interim budget allowed

continued operation of the Village until a reckoning of carry over balance and the final budget are determined and approved. The Interim budget is the projected budget with a quarter of the payroll needed and without and capital projects included. This insures that the budget doesn't exceed available revenue and carry over.

**Solicitors Report:**

Mr. Hicks was not available to report.

**Police Report:**

Chief Smigelski to Council for September of 2016. There were 48 traffic stops and 3 arrests. The Fair was uneventful.

**Street Report:**

Chief Smigelski attended a Geauga County Public Utilities workshop covering OPWC funding requests and fund use. The Street Department was conducting dry runs for snow plowing. Street sweeping is complete. Chief Smigelski had two quotes for siding the street garage; one from K. Hoar for \$37,700 and the other from MC Construction \$22,561. Ms. Dobay asked to see the quotes and Mayor Koster asked Chief Smigelski to obtain one more. Ms. Dobay, the Mayor and the Chief indicated that they would get together to go over the quotes. Mr. Passow offered some observations from the perspective of a construction company that does siding noting that he looks for inside jobs in the winter. Fall Brush pickup is scheduled for this week.

**Fire Department Report:**

Chief Brian Wendl of the Fire Department presented a report for Council. The Fire Department responded to 11 EMS calls in Burton Village in September and four fire calls. Three were false alarms. The 1991 Fire truck was sold.

**Engineers Report:**

Mr. Hess was not present. Mayor Koster noted to Council that he had contacted Mr. Hess before the meeting and they mutually agreed that there was no reason for Mr. Hess to be present.

**Arborist Report:**

Ms. Palmisano reported that Arbor Day went well. Street Department assisted with tree trimming and removal on October 12. Contractors have been contacted about planting trees on South Cheshire. Ms. Palmisano will be meeting Independent Tree to discuss managing the maple trees in the park. Mayor Koster asked for a report of some kind to respond to citizens regarding the pink ribbons around trees. Residents B. Passow and P. Linn asked why Council didn't look for other options to save the trees. Chief Smigelski pointed out that there were limited options either way.

### **Zoning Inspectors Report:**

Mr. Gruber reported that Mobilitie, the company planning to install cellular booster towers in the park has decided to put the booster on existing light poles which will meet all zoning concerns. Mr. Gruber is seeking additional information.

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

### **Ordinances and Resolutions**

Mr. Paquette reminded Council that ordinance 2305-16, 2306-16, 2307-16 and 2308-16 were tabled at the last meeting. Mr. Boehnlein moved to remove the ordinances from the table and Mr. T. Blair seconded the motion. Roll call: Charles Boehnlein – Yes, Tom Blair – Yes, Lisa Hernandez – Yes, Roberta Dobay – Yes, Craig Ronyak – Yes, Charlie Blair – Yes. Motion passed.

Ordinance 2305-16, rezoning parcels 05-013100 (14629 E Park), 05-013300 (13891 E Center), 05-013200 (13897 E Center), 05-014300 (Parcel Adjoining 13897 E Center), 05-017200 (13905 E Center) and 05-029450 (13931 E Center) from R-2 (Residence) to R-3 (Multiple Residence), was placed on final reading. Mr. T. Blair moved to adopt. Mr. C. Blair seconded the motion. Roll Call: Tom Blair – Yes, Charlie Blair – Yes, Craig Ronyak – Yes, Lisa Hernandez – Yes, Roberta Dobay – No, Charles Boehnlein – Yes. Ordinance 2305-16 is adopted.

Ordinance 2306-16, amending section 1109.01 Definition of the Zoning Code of the Village of Burton by modifying the definition of Boarding and Lodging to include Bed and Breakfast, was placed on final reading. Mr. T. Blair moved to adopt and Mr. C. Boehnlein seconded the motion. Roll Call: Tom Blair – Yes, Charles Boehnlein – Yes, Lisa Hernandez – Yes, Roberta Dobay – No, Craig Ronyak Yes, Charlie Boehnlein – Yes. Ordinance 2306-16 is adopted.

Ordinance 2307-16, adding section 1166.01 Bed and Breakfast to the Zoning Code of the Village of Burton to provide specific regulation for the operation of Bed and Breakfast (Homestay) in the Village, was placed on final reading. Mr. T. Blair moved to adopt and Mr. C. Boehnlein seconded the motion. Roll Call: Tom Blair – Yes, Charles Boehnlein – Yes, Lisa Hernandez – Yes, Roberta Dobay – No, Craig Ronyak Yes, Charlie Boehnlein – Yes. Ordinance 2307-16 is adopted.

Ordinance 2308-16, amending section 1135.03 of the Zoning Code of the Village of Burton by including operation of "Bed and Breakfast (Homestay)" as a conditional use in an R-3 (Multiple Residence) district in the Village, was placed on final reading. Mr. T. Blair moved to adopt. Mr. C. Blair seconded the motion. Roll Call: Tom Blair – Yes, Charlie Blair – Yes, Craig Ronyak – Yes, Lisa Hernandez – Yes, Roberta Dobay – No, Charles Boehnlein – Yes. Ordinance 2308-16 is adopted.

Mr. Boehnlein introduced Ordinance 2309-16, to make interim appropriations for current expenditures of the Village of Burton during the Fiscal Year ending 31 December 217, and placed it on first reading.

Mayor Koster reported to Council that he and Mr. Paquette had conducted interviews of prospective replacements to find a replacement for Lenore Pikus as deputy administrative assistant. Mayor Koster made the final decision and recommended Lisa Hernandez be hired in a full time capacity at \$14.00 per hour. Ms. Dobay asked how many were interviewed and Mr. Paquette stated that there were ten respondents. Mr. Boehnlein introduced Ordinance 2310-16, hiring Lisa Hernandez for the position of full time Deputy Administrative Assistant and declaring an emergency, and moved to waive further readings. Mr. T. Blair seconded them motion. Roll Call: Charles Boehnlein – Yes, Tom Blair – Yes, Craig Ronyak – Yes, Charlie Blair – Yes, Roberta Dobay – Yes, Lisa Hernandez – Abstain. Motion passed.

Mr. Ronyak moved to adopt Ordinance 2310-16 and Mr. T. Blair seconded the motion. Roll Call: Craig Ronyak – Yes, Tom Blair – Yes, Charlie Blair – Yes, Charles Boehnlein – Yes, Roberta Dobay – Yes, Lisa Hernandez – Abstain. Ordinance 2310-16 is adopted.

Ms. Hernandez thanked Council for their support.

### **Mayors Report:**

Mayor Koster asked Council to consider whether they wanted to continue with G-TV. The discussion centered around whether Council felt that G-TV was now able to provide service to all residents of the Village and what else could be done with the funds. G-TV now has online streaming services. Mr. Passow observed that he wanted his fees to go for something he could use. Mr. Paquette reported that franchise generated about 15,000 a year and the Village the entire amount to G-TV. When asked by a resident in the audience what the funds could be used for Mr. Paquette explained that they were unrestricted. In two years the franchise would pay for a new police vehicle, in three years a new dump truck. In four years they might save enough to allow the Village to repave the municipal parking lot by the log cabin. Mr. Jevnikar will be asked to attend the next Council meeting.

### **Old Business**

Mayor Koster asked Council to consider a single source trash hauler for the Village. Mayor Koster suggested a committee be formed to look into the idea because of the fact that Waste management now owned Universal Disposal also. Mr. Phipps asked about recycling. Mayor Koster thought that could be discussed. Mayor Koster asked Mr. J. Garner to be a member of the committee but Mr. Garner declined.

### **New Business**

No new business was brought before Council. Mr. Ronyak thanked Ms. Hernandez for her service to Council and congratulated her on her new appointment.

### **Open Public Participation**

### **Adjourn**

Mr. Boehnlein moved to adjourn at 8:42 PM. Mr. C. Blair seconded the motion. By voice vote the motion passed.

Fiscal Officer

Mayor