

Burton Village Council Minutes
26 September 2016

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

Roll Call: Charles Boehnlein – No, Tom Blair – Yes, Roberta Dobay – No, Craig Ronyak – Yes, Lisa Hernandez – Yes, Charlie Blair – Yes. Mayor Koster noted that both Mr. Boehnlein and Ms. Dobay were excused.

Visitors: Dianne Lillibridge, Nicholas Miltner, Rick Gruber, Todd Hicks, Joe Kozial, Chip Hess, Debbie Palmisano, Jack Garner, D. Murdock, D Marks, Ann Wishart, Brian Spangenberg, Marcianne Kimpton

Mayor Koster asked for a motion to approve or amend the Council work session minutes of 12 September 2016. Mr. C. Blair moved to approve the minutes as written and Mr. T. Blair seconded the motion. By voice vote the motion passed.

Mayor Koster asked for a motion to approve or amend the Council minutes of 12 September 2016. Mr. Ronyak moved to approve the minutes as written and Mr. T. Blair seconded the motion. By voice vote the motion passed.

Mayor Koster asked for a motion to approve or amend the agenda for 26 September 2016. Mr. Ronyak moved to approve the agenda as written. Mr. T. Blair seconded the motion. By voice vote the 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 was not available to report.

Safety Committee– Craig Ronyak
Mr. Ronyak reported that Chief Smigelski was determining the best location for handicap parking spaces along North Cheshire.

Mr. Ronyak stated that he had received a request for a repeat of the Village sponsored AAA safe driving course. Chief Smigelski is gathering the information. Mr. Ronyak will attempt to provide the information to Ms. Hernandez for inclusion in the next newsletter.

Street Committee – Roberta Dobay
Ms. Dobay was not available to report.

Council Reports on Boards and Commissions

BPA – Charlie Blair reported that the BPA will meet in Joint session with Council on 11 October. Mayor Koster mentioned that the resolution going before Council restarts the process of improving the wastewater treatment plant originally passed in February 2015. The loan agreement was not presented to Council in 2015 but is anticipated in October of this year.

BZA and HDA– Charles Boehnlein was not available to report.

BCPA/Township Representative – Dianne Lillibridge- reported that she attended the township meeting. The County has offered Burton Township some lots on Aldenshire but the Township declined to purchase them due to their location. Trustees asked about the Burton Fox Inn. And the BCPA will be starting up meetings again in the near future.

Cemetery Board – Roberta Dobay was not available to report.

Historic District Review Board – Lisa Hernandez had nothing to report.

Planning Commission – Tom Blair reported that the Planning Commission will be meeting with the Board of Zoning Appeals on 13 October.

Tree Commission – Charlie Blair reported that the Tree Commission met 6 September. Arbor Day is being celebrated on 8 October from 10 AM until noon. Trees to give away on Arbor Day have been ordered. Mayor Koster was asked to read a proclamation for the event. Ms. Palmisano reported that she is coordinating with the Street Department for some in-house tree trimming. Tree planting is scheduled. The large sugar maple flagged in the park is cabled and has significant decay. Mr. T. Blair asked that every effort be made to preserve the tree. Ms. Palmisano will seek a quote for removal and/or preservation. Ms. Palmisano stated that safety is the number one concern.

Fiscal Officers Report:

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

Mr. Paquette reported that Fire Contract is coming up for renewal. Mr. Spangenberg stated that the Burton Volunteer Fire Department Board will be meeting this week and maybe discussing that. Mayor Koster asked if the department had settled on the information needed for the Historic

District Review Board and their upcoming meeting. Mr. Spangenberg stated that he was attending this meeting more as a resident than fireman. Mayor Koster suggested that he meet with the Safety Committee and the Township together with the Fire Department to discuss their needs.

Mr. Paquette reported that the Village prosecutor's contract was eight months out of date.

Mr. Paquette noted that the Village Departments had until 7 October to prepare their budgets for 2017.

The Geauga County Engineers Office is holding a meeting to discuss Ohio Public Works, how it works and local five year planning. The meeting will be at Kent Geauga on Saturday October 8, 2016 from 8:30 AM to Noon.

Solicitors Report:

Mr. Hicks had nothing to report.

Police Report:

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

Mayor Koster reported that he had spoken with Chief Smigelski regarding chip and seal quotes for Spring Street and quotes for siding the Street Garage. The Chief reported that he had the quotes and would present them at the next meeting.

Mayor Koster and Chief Smigelski are meeting to determine how best to handle police patrols during Apple Butter.

Fire Department Report:

The Fire Department presented a report for Council and left to answer a call. The Fire Department responded to 69 calls in August. There were 23 calls to Burton Village in August; 3 fire, 18 EMS and 2 Service calls. The total number of calls for the department is 620 to date, down 55 calls from last year at this time. The Fire Department is purchasing a new ambulance for \$200,000 or so.

Engineers Report:

Mr. Hess reported that Mr. Preston has submitted plans to put his driveway for the new building entirely on his property. Mr. Hess and Mr. Gruber are reviewing.

Arborist Report:

Ms. Palmisano reported that she was working with the Street department on some removals. Mr. L. Miller has asked requested that Council split the cost of aerating the soil around the large maple tree in his yard. Ms. Palmisano noted that this was done previously and Mr. Miller continues to

park cars in his yard during the fair. Council referred to the Tree Commission for their recommendation.

Mayor Koster read a letter from Emily Martin regarding the behavior of two unnamed Village employees as regards to her weeping cherry tree. She felt the employees were inappropriate. Mayor Koster will take it up with the Street Department.

Zoning Inspectors Report:

Mr. Gruber reported that he was reviewing Mr. Preston's driveway proposal. Mr. Gruber refused a permit for a deck on Carlton because of its proximity to the property line. Mr. Gruber granted a permit to demolish a home on Goodwin. Mr. Gruber mentioned that a company has requested permission to install cellular booster towers in the park. The request requires a conditional use according to zoning code. 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. T. Blair seconded the motion. By voice vote the motion passed.

Ordinances and Resolutions

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 second reading.

Mayor Koster asked Mr. Paquette to explain a little more about this Ordinance. Mr. Paquette stated that the change in zoning reflected the actual use of the residences and provided a way to present a new use, Bed and Breakfast, as a conditional use in R-3.

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 second reading.

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 second reading.

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 second reading.

Mayor Koster introduced Resolution 2016-16, authorizing the Mayor to apply for, accept, and enter into a Water Pollution Control Loan Fund agreement on behalf of the Village of Burton for construction of a wastewater facility and designating a dedicated repayment source for the loan and declaring an emergency, and placed it on first reading.

Mayors Report:

Mayor Koster asked if the properties being rezoned were possibly grandfathered in their current zoning. Mr. Paquette stated that he could find no record as such. Mr. T. Blair suggested that at some point in time the meaning of R-2 zoning changed. Mayor Koster brought up the subject of group homes as another area that a Council member was concerned about. Mr. Hicks stated that oversight and approval was handled by the State and County regulations.

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 issue. 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. Hernandez reminded Council about the newsletter.

Open Public Participation

Mr. Spangenberg asked for an explanation as to why parking was now restricted to the north side of Spring Street, the same side as the hydrant. Mrs. Lillibridge stated that it was mainly to alleviate people parking across the driveway of the church. Chief Smigelski established the parking restriction to best handle the handicap parking.

Mr. Spangenberg asked what was happening with Ronyak Paving's driveway access proposal onto Colony Lane. Mayor Koster stated that a meeting to discuss the matter is coming up.

Adjourn

Mr. Ronyak moved to adjourn at 8:20 PM. Mr. T. Blair seconded the motion. By voice vote the motion passed.

Fiscal Officer

Mayor