

Burton Village Council
Minutes
24 July, 2017

Mayor Koster called the meeting to order at 7 PM.

Roll Call:

Charles Boehnlein – Yes, Tom Blair – Yes, Roberta Dobay – No, Craig Ronyak – Yes, Joe Hernandez – Yes, Nick Tromba – Yes.
Mayor Koster indicated that Ms. Dobay was excused.

Visitors: Rick Smigelski, Todd Hicks, Jack Garner, Brian Wendl, Joe Kozial, Pat Linn, Debbie Palmisano, Jane Koroshes, Lee Koroshes, Rick Gruber, Marcianne Kimpton, Julie Coleman, Jeff Coleman, Tom Clark, Paul Jackam, Kevin Luoma.

Mayor Koster asked for a motion to approve or amend the minutes of 10 July 2017. Mr. Boehnlein moved to approve the minutes of 10 July 2017 as written. Mr. Blair seconded the motion. By voice vote, motion accepted.

Mayor Koster asked for a motion to approve or amend the agenda for 24 July 2017. Mr. Ronyak moved to approve the agenda as written. Mr. Hernandez seconded the motion. By voice vote, motion accepted.

Standing Committees

Long Range Planning Committee – Tom Blair

Mr. Blair reported that the Planning Commission will meet again on 14 September.

BCPA – Craig Ronyak.

Mr. Ronyak reported that BCPA has not met.

Century Village – Joe Hernandez

Mr. Hernandez reported that the Power Engine Show was coming this weekend. The Mayor reported on a noise complaint at the museum grounds due to a wedding running late. Mayor Koster noted that usually outside activities like the Fair curtail shows and noise by 11PM. Mr. Hernandez will touch base with Century Village to encourage them to abide by that precedent.

Environmental – Nick Tromba

Mr. Tromba reported that information from Middlefield indicates that their efforts with a unified trash collection are going well with minimal growing pains. Mr. Tromba will present the Request for Proposal to Council at the next meeting for review and comment before it goes out.

Fairboard – Charles Boehnlein

Mr. Boehnlein reported that the Fairboard is just about ready for the Fair. The Fairboard indicated that they had significantly reduced their insurance payments because a better risk management. Other fairs have

even come to them to review their practices. Mayor Koster asked Chief Smigelski if he is sending out letters to residents who park cars on their lawns during the Fair. Chief Smigelski stated that he is. The letter will include information about parking requirements and safety.

Finance, Funding and Personnel Committee – Charles Boehnlein/Joe Hernandez

Mr. Boehnlein stated that he had nothing to report. Mr. Boehnlein and Mr. Hernandez will meet with the Fiscal Officer about mid-August.

Cable and Internet – Roberta Dobay

Ms. Dobay was not available to report. Mayor Koster, reporting for Ms. Dobay, stated that the County run website is having troubles allowing another website on to the system. The new website should be up and running sometime this week.

Safety Committee- Mayor on the committee – Craig Ronyak

Mr. Ronyak reported that the Bike Rack was installed in front of Coffee Corners. Mr. Ronyak will meet with Fire Department to start contract negotiations.

Police Chief Report: Chief Smigelski provided written reports for May and June to Council. For June there were 17 traffic stops and 8 arrests. The grant for bullet proof vests was submitted. Safety Town is set for August 16 to 19.

Street Committee – Roberta Dobay

Ms. Dobay was not available to report. Chief Smigelski stated that the Street Department has a hot box and is repairing or patching Village roads. The Department will begin crack sealing this week.

Council Reports on Boards and Commissions

BPA – Nick Tromba – Mr. Tromba deferred to Mayor Koster. The BPA discussed and accepted Mr. Eaton's retirement. The BPA also discussed the lease of property from the City Akron that the water wells, water plant occupy. That lease is before Council.

BZA – Charles Boehnlein reported that BZA had not met to decide any cases.

Cemetery Board – Roberta Dobay was not available to report.

Historic District Architectural Review Board – Joe Hernandez – Mr. Hernandez reported that the Historic Review Board met on 17 July and approved siding and fence requests from residents in the Historic District buffer area. The Board also decided not to approve a request from the Burton Volunteer Fire Department to demolish a house at 13810 Spring Street. The Board felt that the Fire Department had not met any of the standards asked of it by the Board at previous meeting. Mr. Hicks pointed out that the next step for the Fire Department was to either accept the ruling of the Board or appeal to the Village Council. The appeal needs to be in writing and filed within 10 days of the Historic Review Boards decision. Mr. Luoma was asked by the Mayor if he needed any other information from Council. Mr.

Luoma stated that he understood what was being requested. Mr. Hicks stated that the Fire Department could contact him at his office with questions.

Planning Commission – Tom Blair – covered previously.

Tree Commission – Nick Tromba – had nothing to report. Ms. Palmisano reported as Arborist that stump grinding was complete. The resistograph service was cancelled because of technical difficulties and budget constraints.

Fiscal Officers Report:

Mr. Paquette asked if Council had any questions about the Council Summary of Revenue and Expenses. There were none. Mr. Paquette indicated that he is working on updating the five-year budget forecast. Mr. Paquette explained that the Akron lease costs covered land used by the Village for water wells, the water treatment plant, the sewer outfall, stone and dirt stockpiles and mowing around the Street garage and Wastewater Treatment Plant. Akron has not billed the Village for four years which is why there is a backlog. Mr. Paquette explained that appropriation increase in Resolution 2017-11 was to cover possible expenses in water line repairs. The three breaks so far this year had cost over \$20,000. There are also engineering costs to cover the design of the waterline replacement from Rapids Rd. to Elmar Blvd. along West Center.

Solicitors Report:

Mr. Hicks had nothing to report.

Fire Department Report:

Chief Wendl reported that there were 28 calls in June in the Village and the Fire Department had 78 overall for the month.

Zoning Inspectors Report:

Mr. Rick Gruber reported that he had issued a fence permit and a shed permit. He also issued a permit to construct a garage and porch. Ms. Stenross, the owner of the property at 14118 East Center, has asked permission to let the lot remain natural, mowing only the first 30 feet from the right of way. Mr. Gruber mentioned that he could not find anything written guidance on this in the Village Ordinances. Council did not object at this time. Mr. Tromba asked Mr. Gruber to contact the owners of the property just to the north of the Stenross lot; Mr. and Mrs. Ludlow.

The property on South Cheshire owned by K. Hruby is not being mowed. Notice was sent in May. Mayor Koster indicated that Mr. Gruber can go ahead and site the owner. Mr. Corey Brown owns two adjoining lots on East Center that he would like to split. The existing home sits very near the dividing property line and the total lot frontage is only 180 feet. Two lots would require 200 feet (100 feet each). Mr. Hicks told Mr. Gruber that Mr. Brown will need to appeal to the Board of Zoning Appeals.

Engineers Report:

Mr. Hess was not present to report.

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

Ordinances and Resolutions

Mr. Boehnlein placed Ordinance 2322-17, authorizing the Mayor and the Fiscal Officer to amend an agreement with the City of Akron, Ohio for the use of certain properties associated with the Village's water plant and water wells and declaring an emergency, on second reading. Mr. Boehnlein moved to waive further readings. Mr. Hernandez seconded the motion. Roll Call: Charles Boehnlein – Yes, Joe Hernandez – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Nick Tromba – Yes. Motion passed.

Mr. Boehnlein moved to adopt Ordinance 2322-17 and Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Nick Tromba – Yes, Joe Hernandez – Yes. Ordinance 2322-17 is adopted.

Mr. Hernandez introduced Ordinance 2321-17, adding Chapter 730 Garage Sales to the Village of Burton Codified Ordinances, and placed it on first reading. Mayor Koster explained that the ordinance was an attempt to control some of the sale of item by or from non-Village residents at what are better described as resale markets. Council was asked to review the legislation.

Mr. Boehnlein introduced Ordinance 2323-17, authorizing the Mayor and the Fiscal Officer to enter into an agreement with the City of Akron, Ohio for certain properties associated with the Village's wastewater treatment plant, water plant, and Street garage and declaring an emergency, and moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Nick Tromba – Yes, Joe Hernandez – Yes. Motion passed.

Mr. Boehnlein moved to adopt Ordinance 2323-17 and Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Nick Tromba – Yes, Joe Hernandez – Yes. Ordinance 2323-17 is adopted.

Mr. Boehnlein introduced Resolution 2017-11, approving the Fiscal Officer to request an amended Certificate of resources and permanent appropriations for the County Auditor regarding the Enterprise Funds and declaring an emergency, and moved to waive further readings. Mr.

Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Nick Tromba – Yes, Joe Hernandez – Yes. Motion passed.

Mr. Boehnlein moved to adopt Resolution 2017-11 and Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Nick Tromba – Yes, Joe Hernandez – Yes. Resolution 2017-11 is adopted.

Mayors Report

Mayor Koster had nothing further to report

Old Business

Mr. Paquette explained to Council the Safety Notification system that Ms. Hernandez had found. The Village would create a sign up to build a database of residents and phone numbers or email addresses to use to contact these residents during an emergency such as a boil alert or water main break. The Village would purchase credits that would allow us to send text/call/or email alerts to those residents who signed up. The cost is roughly \$200 for 5000 credits (calls/texts/emails). Chief Smigelski added that the reverse 911 system in the County is not flexible enough for targeted emergency notification associated with water breaks. Mr. Hernandez moved to go forward with the use of the notification system. Mr. Boehnlein seconded the motion. Roll Call: Joe Hernandez – Yes, Charles Boehnlein – Yes, Nick Tromba – Yes, Tom Blair – Yes, Craig Ronyak – Yes.

New Business

Mayor Koster explained to Council that there are several liquor licenses that come up for renewal annually. Council was provided with a list of the licenses. Council has the option to request a hearing to contest the renewal of any of the licenses. Mayor Koster asked Chief Smigelski if there were any reported alcohol abuses at the licensed premises. Chief Smigelski stated that there were not at this time. Council took no action to request a hearing from the Board of Liquor Control.

Open Public Participation

Chief Wendl asked if a list of Automatic Electric Defibrillator's existing noting the location and holder in the Village. The Mayor and Chief Smigelski did not know of one. Mayor Koster asked Chief Smigelski to assist Chief Wendl in gather the information.

Mr. Garner asked if the Village could expect the 5000 credits used for emergency notification to last for a year or more. Mr. Paquette thought so. As an example, notifying half the Village or about 400 households (one phone each) would use up only 800 to 1200 credits per water main break.

Mr. Jeff Coleman asked for the Village's assistance with a drainage issue. During a catastrophic rain event the water runs down Evergreen and bypasses the existing drains eventually running down the driveways and lawns of those residents living on the south east end of the road. Mr. Coleman suggested a lip be added to the driveway of his northerly neighbor and his own. Chief Smigelski will look into it.

Mr. Koroshes asked if the AAA driving class had been rescheduled. Chief Smigelski stated that there was insufficient interest the first time but he was willing to try again. Mr. Koroshes suggested that the Village do more to announce the event in the newsletter. Chief Smigelski pointed out that the Village put the information on its website, Facebook and twitter accounts.

Mr. Koroshes asked if anything was resolved with the property at 14563 East Park. Mr. Gruber stated the person who won the auction hoped to take possession by the end of the month.

Mr. Blair moved to adjourn at 8:00 PM and Mr. Ronyak seconded the motion. By voice vote motion passed. Meeting is adjourned.

Fiscal Officer

Mayor