

**Burton Village Council
12 January 2009**

Mayor Blair convened a Public Hearing at 6:45 PM to allow comment on proposed changes to the Burton Village Sign Ordinances as proposed. Mayor Blair asked if anyone present had a comment. Ms. Dahlhausen led a discussion of the Planning Commissions proposed changes. There being no further discussion Ms. Humbert moved to close the hearing and Mrs. Beaumier seconded the motion. By voice vote, the motion was approved.

Mayor Blair called the regular Council meeting to order at 7:00 PM.

Roll Call: Sandy Humbert, Yes, Judy Beaumier, Yes, Gerald Rouge, Yes, Linda Swaney, Yes, Darren LaForce, Yes.

Visitors: Jack Garner, Josh Echt, Tom Glassburner, Craig Ronyak, Jennell Dahlhausen, Todd Hicks, Dianne Lillibridge, Mike Sestak, Newell Beaumier, Charles Hauser, Ken Kleve, Nick Fischbach, Bev Fischbach.

Mayor Blair opened the floor to nominations for the position of President Pro Tempore of Council. Ms. Swaney nominated Mrs. Beaumier for the position. Ms. Humbert seconded the motion. Roll Call: Linda Swaney – Yes, Sandy Humbert – Yes, Gerald Rougé – Yes, Darren LaForce – Yes, Judy Beaumier – Abstain.

Ordinances and Resolutions:

Resolution 2009-02, authorizing the Fiscal Officer to request an advance of taxes collected in the first half of 2009, was introduced by Ms. Humbert and amended to correct a spelling mistake (the word “three” in the first paragraph should be “two”). Ms. Humbert moved to waive further readings and Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Darren LaForce – Yes, Linda Swaney – Yes, Gerald Rougé – Yes.

Ms. Humbert moved to adopt Resolution 2009-02 as amended and Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Darren LaForce – Yes, Linda Swaney – Yes, Gerald Rougé – Yes.

Resolution 2009-02 is adopted as amended.

Council discussed Ordinance 2172-08 and reviewed the information presented and decided to incorporate the changes recommended by the Planning Commission before voting on an amended Ordinance.

Ms. Humbert moved to adopt Ordinance 2174-08, amending and adopting changes to the Codified Ordinances, and Mr. Rougé seconded the motion. Roll Call: Sandy Humbert – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Judy Beaumier – Yes, Darren LaForce – Yes.

Ordinance 2174-08 is adopted.

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Ms. Humbert moved to adopt Ordinance 2175-08, amending section 925.02 of the Codified Ordinances to add a surcharge for sewer rents for customers outside the village limits, and Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes.

Ordinance 2175-08 is adopted.

Ms. Humbert placed Ordinance 2176-08, providing rule and regulations for the use of exterior furnaces within the Village, on second reading.

Ms. Humbert introduced Ordinance 2178-09, amending the fee and charges for zoning in the Village, and placed it on first reading.

Fire Department

Chief Sestak reported that for the month of December Burton Volunteer Fire Department (BVFD) responded to 19 EMS calls and 6 Fire calls in the Village. 3 EMS calls went to Burton Health Care. Total calls for the year 2008 stand at 795. The Fire Department will be holding pancake breakfasts for all five Sundays in March.

The Department is looking at replacing the one squad. Cost for a new International squad is around \$193,000 each. Chief Sestak stated the vehicle will be paid for from a combination of trade in and EMS billing funds, no contract money involved.

Zoning Inspector:

Mr. Glassburner had nothing to report.

Fiscal Officer:

Mr. Paquette requested a motion to pay all approved bills. Ms. Humbert moved to pay all approved bills. Mrs. Beaumier seconded the motion. By voice vote, motion approved.

Mr. Paquette asked if Council had reviewed the 8 December 2008 minutes. Mrs. Beaumier proposed a correction to page 3 under the paragraph titled Streets, Cemetery and Planning Commission. In the third sentence “done” should read “down”.

Ms. Humbert moved to adopt the 8 December 2008 minutes as amended. Ms. Swaney seconded the motion. By voice vote, motion approved.

Mr. Paquette if there were any comments beyond the ones submitted by Ms. Gingerich for the minutes of the Joint Township Burton Village meeting of 25 November 2008.

Ms. Humbert moved to adopt the minutes of 25 November 2009 as amended. Ms. Swaney seconded the motion. By voice vote, motion approved.

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Mr. Paquette reported that BPA had asked about pay raises at its last meeting. BPA is asking for a 3% pay raise for Mr. J. Rose, noting that Mr. Eaton is at cap. Council discussed raises and decided to leave all pay at the current level. Council will take up the issue again in two to six months. Mr. Paquette was asked to gather information about current pay, proposed raises, pay caps, and personnel evaluations for Council evaluation.

Committee Reports:

Finance and Board of Zoning Appeals: Mr. LaForce

Mr. LaForce reported that the finances looked to be in order and the Board of Zoning Appeals had not met. Mr. Paquette added that the Certificate of Balances had been submitted to the County.

Local Government and BPA: Open

Forestry, Parks and Architectural Review Board: Ms. Humbert

Ms. Humbert reported that the Tree Commission had some limb removal done on a tree and was creating a planting schedule for the spring.

Streets, Cemetery and Planning Commission: Mr. Rougé

Mr. Rougé reported that the Planning Commission met and discussed recommendation to the Sign Ordinances of the Village and the Zoning Fees.

Mr. Rougé also reported that the Street Department is plowing snow.

Grants and Historic District Association: Ms. Swaney

Ms. Swaney reported that the Historic District had nothing to report. In the area of grants, Ms. Swaney reported that the Third Grade Seatbelt Grant came through. Other grants are being looked into.

Fire Department and Economic Development Committee: Mrs. Beaumier.

Nothing to report

Mr. Kleve, on behalf of BPA, reported to Council that BPA discussed salary caps and a proposed raise for Mr. Rose. Mr. Kleve is working on the meeting with Ms. Phillips of Verizon for antenna on the water tower. So far there is no meeting planned.

At the next BPA meeting representatives of Berkshire Elementary School and Western Reserve Farm Coop will be present to discuss water/sewer tap ins for their respective locations.

Mr. Kleve also asked if Council was prepared to reopen the discussion of the Devol Restitution split. Mr. Paquette noted that only the Mayor and Mr. LaForce had received the information. Mr. Kleve summarized the question noting that the original split had called for \$46,000 to go to BPA and BPA made a counter proposal of \$67,000. Only \$40,000 ended up transferred. Mr. Kleve asked Council to discuss at the next meeting.

Mayors Report:

Mayor Blair had nothing to report.

Old Business;

Mr. Paquette asked if Council had considered any changes in the Proposed 2009 Fiscal Budget. **Mrs. Beaumier** asked Council to consider eliminating the Fall brush pickup and to consider eliminating Seasonal Labor. **Mrs. Beaumier** also thought that using the Street Department to maintain the lawn in the Cemetery will save some money. **Mr. Paquette** asked Council consider any other changes as the updated Certificate of Balances from the County should be here soon.

Mr. LaForce asked for comments on the Bid and Proposal Policy. Council discussed the language and possible ambiguity in its wording. **Mr. Hicks** will write a cleaned up version for the next meeting.

Mr. Rougé asked **Ms. Humbert** if the amended Personnel Policy Manual was complete. **Ms. Humbert** responded that they are still working on it.

New Business;

Council considered the request by Coffee Corners to the Ohio Department of Commerce for a Liquor License. The type of permit, location of the business, access by minors, and consumption on site all concerned Council members. Council has the option to request a hearing. **Mr. Rougé** moved to ask for a hearing in Chardon. **Ms. Swaney** seconded the motion. Roll Call: **Gerald Rougé – Yes, Linda Swaney – Yes, Judy Beaumier – Yes, Darren LaForce – Yes, Sandy Humbert – Yes.** Motion passed. **Mr. Paquette** will send in paperwork requested a hearing in Chardon.

Ms. Dahlhausen requested permission to schedule a public hearing for Ordinance 2176-08 and 2178-09 for the second meeting in February.

Mrs. Beaumier reminded Council and visitors of the American Legion Fish Fry in the coming weeks.

Ms. Humbert moved to enter executive session to discuss personnel disciplinary matters and litigation. **Ms. Swaney** seconded the motion. Roll Call: **Sandy Humbert– Yes, Linda Swaney – Yes, Gerald Rougé – Yes, Darren LaForce – Yes.** Entered executive Session at 7:51 PM

Ms. Humbert moved to leave executive session at 9:07 PM. **Linda Swaney** seconded the motion.

Ms. Humbert moved to adjourn and **Ms. Swaney** seconded the motion. By voice vote all approved. Meeting adjourned at 9:08 PM.

Mayor _____ Fiscal Officer _____