

11 July 2011 Council

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

Roll Call: Gerald Rougé – Yes, Linda Swaney – Yes, Craig Ronyak – No, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Charles Hauser – Yes.

Visitors: Marcianne Kimpton, Cady Hutchinson,, Jennell Dahlhausen, Josh Echt, Marty Motil, Rick Smigelski, Jack Garner, Judy Beaumier, Todd Hicks, Sue Wayman, Denise Holt, Julia Holt, Kevin Reardon, Charles Caputo, Tim and Cadence Holland, Paul Jackum, Monica Truelsh, Robert Truelsh, Bill Sayer, Dan Polewchak, Wendy Bishop, Jennifer Balogh, Will Polewchak, Jonathan Lester, Judy Lester, Cindy Linn, Scott Weber, Pat Linn, Jeannine Plavcan, Neil Bishop.

Public Hearing: Mayor Blair called to order a Public Hearing for comment on Ordinance 2224-11, adding chapter 1171 of the Codified Ordinances of the Village of Burton providing standards of keeping domesticated poultry within the Village of Burton, at 7:02 PM. Ms. Swaney read a summary of the Ordinance. Mayor Blair called for public comments. Mrs. Dee Holt addressed Council and gave a variety of reasons why poultry should be allowed to be raised in the Village. Mr. Kevin Holt spoke pro chickens and added that the Village has an agricultural fair. Mr. Paul Jackum noted that 4H projects require more chickens than the proposed allowance. Mr. Scott Weber spoke pro chickens in the Village and noted the movement across the United States to local agriculture production. Mrs. Beaumier asked if the Ordinance defined how many chickens, how big a yard had to be, whether a permit was needed and specific maintenance regulations. Ms. Swaney stated that it was covered. Mr. Jack Garner commented that if chickens were allowed to meet 4H projects, then what happens when someone wants a goat or some other animal. Mayor Blair brought the focus of the hearing to poultry and noted to Mr. Jackum that 4H requirements could be looked at in the future.

There being no further comment, the Mayor closed the Public Hearing at 7:22 PM. Ms. Swaney asked those present, by a show of hands, how many favored allowing chickens to be raised in the Village. A large majority of this present signified their approval of the idea by raising their hands. Ms. Swaney placed Ordinance 2224-11 on second reading and moved to waive further readings. Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – No. The motion to waive further readings failed for lack of the necessary five votes. Mr. Hicks explained to the

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seated public that this did not constitute a failure of the Ordinance to pass but rather just moved it to a final reading at the next Council meeting.

Recognition of Visitors:

Mayor Blair recognized Ms. Sue Wayman of Coffee Corners and the Burton Chamber of Commerce. Ms. Wayman asked permission from Council to hold a wine and cheese event in the Park on September 24 from 10 AM to 5 PM subject to approval of an appropriate liquor license from the State of Ohio. The event would have close supervision of the Chamber in a controlled area. Council discussed with Mr. Hicks and received public input. Ms. Swaney moved to allow a wine and cheese sale event in the Park at the Saturday in the Country Fall Harvest subject to approval by the Mayor, Village solicitor and the State Liquor Control Board license approval. Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Motion passed. Mrs. Wayman will need a Mayors permit for use of the Park.

Mayor Blair recognized Mr. Tim Holland. Mr. Holland asked Council for permission to tap into the sewer line that ran in front of his property. Mr. Holland is purchasing land just outside the Village on Rapids Road for the purpose of constructing a bed and breakfast. The parcels on either side of his are already tapped in to the sewer and are outside of the Village. Mr. Holland expressed a desire to not have to build a septic system. Mr. Hicks noted that the property is contiguous to the Village and, since it is a part of a parcel that is already tapped in, may not need to be considered as a new extension of service but more akin to a modification of an existing service. Mr. Paquette asked if that made it the responsibility of the Board of Public Affairs. Mr. Hicks thought this maybe so. Council discussed. Mr. Coleman moved to recommend to the Board of Public Affairs that the Holland property be allowed to tap in to the sewer system. Mr. Hauser seconded the motion. Roll Call: Jeff Coleman – Yes, Charles Hauser – Yes, Dianne Lillibridge – Yes, Gerald Rougé – No, Linda Swaney – Yes. Motion passed.

Mayor Blair recognized Mr. and Mrs. Ken Riordan of South Cheshire. Mr. Riordan explained to Council that his driveway apron keeps washing out due to what appears to be heavy runoff from South Cheshire. Council discussed. Mr. Motil and Mr. Hess will investigate further.

Engineer's Report:

Mr. Hess reported that he was in attendance to find out the results of the quotes requested by the Village.

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Fire Report:

Chief Sestak was not available to report.

Policed Report:

Chief Smigelski reported on the month of June 2011. The Department had 169 activity calls, made 34 traffic stops and wrote 8 citations. There were 2,851 miles put on the vehicles and officers worked a total of 584.5 hours.

Chief Smigelski discussed the purchase of 7 portable and 3 mobile units for the Village. A Purchase Order in the amount of \$21,900 has been provided to Motorola to meet their schedule and insure the lowest price. Chief Smigelski reiterated to Council the need for the new digital radios as the County and Motorola stop providing analog service in 2012. Mrs. Lillibridge moved to authorize the purchase of portable and mobile radios as described in the Village purchase order. Mr. Coleman seconded the motion. Roll Call: Dianne Lillibridge – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Charles Hauser – Yes. Motion passed.

Chief Smigelski reminded Council that Safety Town was coming up in the second week of August and that letters had already gone out to the Townships asking for support. Ms. Swaney is pursuing a grant from Wal-Mart also.

Zoning Report:

Ms. Hutchinson reported that she had spoken with the resident on Baird Street about the number of dogs on the property and it will be taken care of. The complaints of businesses on Main Street with too much advertising in their windows proved to be unfounded based on measurements.

Ms. Hutchinson and Mayor Blair met with the County Fire Inspector to look at those properties around the Village in disrepair. Letters will be sent out to each owner as needed giving them a certain time to respond and a fixed time to repair. The barn on the Thoreson property at 14588 E Park was condemned. Council discussed these continuing problems.

Ordinances and Resolutions:

Ms. Swaney placed Ordinance 2223-11, approving and adopting a tax budget for 2012, on final reading and moved to adopt. Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Ordinance 2223-11 is adopted.

Ms. Swaney placed Ordinance 2226-11, hiring Michael Lewis as a full time police officer on second reading and moved to waive further readings.

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Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Motion passed.

Ms. Swaney moved to adopt Ordinance 2226-11 and Mr. Coleman seconded the motion.

Ms. Swaney introduced Resolution 2011-15, requesting tax advances for the second half real estate tax collection on July 8th and July 22nd, and moved to waive further readings. Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes. Motion passed.

Mr. Coleman opened a discussion concerning a pay raise to \$13 per hour for the two new police hires. Mr. Smigelski was comfortable with that raise. Council discussed. Mr. Coleman moved to change to rate of pay for Mr. Byers and Mr. Lewis from \$12 per hour to \$13 per hour. Mr. Hauser seconded the motion. Roll Call: Jeff Coleman – Yes, Charles Hauser – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Linda Swaney – Yes.

Fiscal Officer's Report:

Mr. Paquette asked for a motion to pay approved bills. Mrs. Lillibridge moved to approve payment and Mr. Hauser seconded the motion. By voice vote, motion passed.

Mr. Paquette asked for a motion to accept the minutes from 13 June 2011. Mrs. Lillibridge moved to adopt the minutes of 13 June 2011 as written. Ms. Swaney seconded the motion. By voice vote, motion passed.

Mr. Paquette reported that the Geauga Growth Partnership will be attending the 8 August meeting and would like to speak to Council for 10 minutes.

The Fiscal Officers new computer is up and running and only awaits a transfer of the accounting software and networking to the other computer in the office. This is expected before the end of the week.

Mr. Paquette reported that he had met with Mrs. Lillibridge and presented some budget recommendations for 2012. The initial draft of the 2012 budget is complete and will be forwarded to all appropriate departments for comment and additions. Afterwards Council will receive a copy for review and adjustment before final approval.

Mr. Paquette reported that the formal proposal for new health care rates is in. Mr. Paquette asked for a motion to accept the commitment to

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health care insurance in the initial amount of \$65,971.56 annually. Mrs. Lillibridge moved to accept the proposal for Health Care for the Village employees. Ms. Swaney seconded the motion. Roll Call: Dianne Lillibridge – Yes, Linda Swaney – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Motion passed.

Mr. Paquette mentioned to Council that employees receiving an injury on the job, whether they accept treatment or not, should be reported.

Mr. Paquette noted that he will be out of the office the week of 18 July for vacation.

Committees

BPA, Architectural Review and Planning Commission; Mr. Rougé
Mr. Rougé reported that BPA meets July 12.

The Planning Commission is following up on the houses in dilapidated condition in the Village.

The Historic District Walking tour brochure is nearing completion.

BZA, Board of Review. Mr. Ronyak
Mr. Ronyak was not available to report.

Finances, BCPA: Mrs. Lillibridge
Mrs. Lillibridge reported that BCPA meets on Thursday 14 July 2011 in Claridon.

Mrs. Lillibridge noted that the recommendations provided by Mr. Paquette seemed reasonable and should be considered by Council.

Trees and Parks, Historic District: Ms. Swaney
Ms. Swaney reported Founders Day was a success, although the rain did force them into the Fire Hall at the end of the day.

Ms. Swaney reported that she is working on obtaining a grant from Wal-Mart to support this year's Safety Town.

Fire Department and Cemetery: Mr. Coleman
Mr. Coleman had nothing to report.

Streets and Health District: Mr. Hauser

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Mr. Hauser reported that the sidewalks targeted as needing repairs by lifting the concrete were completed successfully. The technique is being considered for other areas around the Village and in the Park.

Mr. Hauser had several projects bid/quoted with following results. For chip and seal of Rapids, Garden, Hickox, Baird, Cook, and Dean Court a low bid of \$41,715.60 was received from Ronyak Paving. The other bid was GAR Paving in the amount of \$61,597. Mr. Hauser moved to award the chip and seal project to Ronyak Paving for the stated amount of \$41,715.60. Ms. Swaney seconded the motion. Roll Call: Charles Hauser – Yes, Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes. Motion passed.

A mill and fill project on Ford Lane and Spring Street had four quotes. Town and Country quoted \$6,500, Ronyak Paving quoted \$8,760, Burton Scot quoted \$12,048 and GAR Paving quoted \$5,200. Mr. Hauser moved to award the mill and fill project to GAR Paving for the quoted amount of \$5,200. Ms. Swaney seconded the motion. Roll Call: Charles Hauser – Yes, Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes. Motion passed.

The project to repair the storm sewer catch basin on South Cheshire received three quotes. Marut and Sons quoted \$6,400 for the work, Phil Miller Construction quoted \$5,850 and Ronyak Paving quoted \$5,945. Mr. Hauser moved to award the storm sewer repair project to Phil Miller Construction. Mrs. Lillibridge seconded the motion. Roll Call: Charles Hauser – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes.

Mr. Hauser reported that he had received one quote for striping in the Village. Mr. Hauser stated that striping needed to be finished before school started. Council discussed the effectiveness of the paint used for striping. Mr. Coleman suggested that Mr. Motil utilize some of the remaining heat applied striping product in high traffic areas. Mr. Hauser moved to accept the quote of GAW Striping for \$5,000 to stripe stop lines and other pavement marks in the Village. Mr. Coleman seconded the motion. Roll Call: Charles Hauser – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Linda Swaney – Yes. Motion passed.

Mr. Hauser informed Council of a sink hole near the sidewalk at Cook and North Cheshire, near the fair gate. Mr. Hess will investigate along with Mr. Motil.

Mr. Motil asked about replacing the missing pedestrian crossing sign. Council discussed and decided, at the Mayor's discretion, to purchase a replacement and a spare.

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Mr. Motil made Ms. Swaney aware of a dangerous limb in the Park that the Tree Commission needs to take care of.

Mr. Motil also thanked Ms. Hansel for her work with the flowers and Burton Township, via Rob Pealer, for their assistance in mowing ditches around the Village.

Mr. Motil asked about purchasing a new stainless steel salt spreader to replace one of the older salt spreaders. The salt spreader to be replaced is rotting out. A replacement costs between \$8200 and \$17000. Mayor Blair asked if they could last one more year. Mr. Motil thought so. Council did not act to replace a salt spreader at this time.

Mayors Report:

Mayor Blair asked Council how they felt about sponsoring an advertisement for the Fair on AM 1460 radio in the amount of \$130. Council had no comment. Ms. Dahlhausen will arrange.

Mayor Blair informed Council about an historical tractor parade to be held on two consecutive days around the Village Park. They will be receiving a permit. Council discussed and generally liked the idea of the parade.

Old Business:

Council had no further old business to discuss.

New Business:

Council did not present any new business.

Mr. Coleman moved to adjourn and Ms. Swaney seconded the motion. Meeting adjourned at 9:00 PM.

Mayor

Fiscal Officer