

**Council Meeting
12 March 2012**

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

Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Charles Hauser – Yes, Brian Johnston – Yes.

Visitors: Lee Koroshes, Jane Koroshes, Chad Eldridge, John Spisak, Jack Garner, Jennell Dahlhausen, Joe Kozial, Mike Sestak, Sue Wayman, Judy Beaumier, Scott Weber, Ann Wishart, Carrie McNish, Ken McNish, James Dvorak, Todd Hicks.

Recognition of Visitors:

Mayor Fischbach recognized Mr. Ken McNish. Mr. McNish introduced his daughter Carrie and then went to explain that he was conducting horse drawn carriage rides around the Park, for a small fee, on the weekends of the pancake breakfasts. Mr. McNish has obtained permits and presented insurance to the police as required. Mr. McNish stated that there was a lot of interest and a very good crowd. Mr. Coleman moved to permit Mr. McNish to use the Park for carriage rides and Mr. Johnston seconded the motion. By voice vote the motion passed.

Fire Report:

Chief Sestak reported for Feb 2012. The Fire Department responded to 9 EMS calls and 7 Fire calls in the Village; 11 EMS and 6 Fire calls in Burton Township. The total calls for 2012 to date are 93. Pancake season is going very well and volunteers to help with pancakes would be appreciated. The Department is considering a 'boot' donation collection for Chardon but a decision on what to do with collections has not been made. Chief Sestak asked if Council would like to see the new rescue squad which was outside. Mr. Coleman moved to recess the meeting to see the squad and Mr. Ronyak seconded. Meeting was recessed at 7:09 PM. Mr. Ronyak moved to return to the record at 7:18 and Mr. Hauser seconded the motion. By voice vote motion passed.

Mayor Fischbach recognized Mr. Scott Weber. Mr. Weber told Council that he had been at the School Board meeting and that the School Board was very appreciative of the Mayor and Police for their work in safeguarding students during the recent events in Chardon.

Zoning Report:

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Mr. Spisak reported that he had approved two fence permits and he and the Mayor had met with Geauga Savings Bank to discuss removal of the barn/garage on the former Thoreson property on East Park.

Mr. Coleman addressed Council and Mr. Spisak and asked if the Berkshire School Theatre could place a sign on the school grounds to advertise the upcoming school play this year. The play is being held in March and there is no room on the Village sign boards in the Park. Council discussed and Mr. Johnston moved to make a special exception to allow the Berkshire School Theatre to display a sign on the Berkshire School property. Mr. Ronyak seconded the motion. By voice vote the motion passed.

Mayor Fischbach recognized Mrs. Sue Wayman. Mrs. Wayman first reported that Mr. Bill Trask owns the garage in the alley behind the businesses on the east side of North Cheshire/Main Street. Mrs. Wayman then presented Council with a copy of the insurance rider for the OXtober Fest and Wine Festival events this summer.

Mayor Fischbach expressed his appreciation to Sue Wayman for the work she did in getting ribbons up around the Village in support of the students and residents of Chardon after the shooting. Mayor Fischbach also acknowledged the assistance of Nancy Bonnema of A. H. Christianson's Florist for her work adding black ribbons individually to each of the red ribbons provided by the Village.

Engineers Report:

Mr. Chad Eldridge reported for Mr. Hess. ODOT has responded to Mr. Hess' question about the resurfacing of East Center. The road will be milled down and resurfaced but will not address any stabilizing of the underlayment or drainage problems. The contract will be let on 29 March and then we will have a better idea of the schedule.

Ordinances and Resolutions:

Ms. Swaney made a final reading of Ordinance 2238-12, authorizing the Mayor to enter into an agreement with Hess and Associates, Inc. for professional services commencing February 29, 2012 and ending February 28, 2014, and moved to adopt. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – No, Brian Johnston – Yes, Charles Hauser – Yes. Ordinance 2238-12 is adopted.

Ms. Swaney introduced Ordinance 2239-12, authorizing the Mayor and the Fiscal Officer to enter into an agreement with the City of Akron, Ohio for use of certain properties associated with the village's wastewater

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treatment plant, water plant, and street garage and declaring an emergency, and moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Hauser – Yes. Motion passed

Ms. Swaney moved to adopt Ordinance 2238-12 and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Hauser – Yes. Ordinance 2239-12 is adopted.

Ms. Swaney introduced Resolution 2012-09, designating Jennell Dahlhausen to attend mandated Ohio House Bill 9 Public Record Training for elected council members as their representative, and placed it on first reading.

Fiscal Officer

Mr. Paquette asked for a motion to pay approved bills. Ms. Swaney moved to approve payment and Mr. Ronyak seconded the motion. By voice vote, motion passed.

Mr. Paquette asked for comments or a motion to accept the minutes of 27 February 2012. Mr. Coleman moved to adopt. Mrs. Lillibridge seconded the motion. By voice vote, motion passed.

Mayors Report:

Mayor Fischbach reported that he had received a lot of feedback concerning the G-TV contract, most of it in favor of keeping it. Council asked how it was funded and Mr. Paquette explained that cable franchise fees received by the Village, five percent of the income the cable company generates in the Village, are paid to G-TV. The Village can renegotiate this amount and through that determine the level of service received by the Village. Mr. Coleman made a motion to allow the Mayor to enter into an agreement with G-TV for a new contract for services over a two year period. Mr. Johnston seconded the motion. Roll Call: Jeff Coleman – Yes, Brian Johnston – Yes, Craig Ronyak – Yes, Dianne Lillibridge – No, Linda Swaney – Yes, Charles Hauser – Yes. Motion passed. Ms. Swaney will contact Mr. Jevnikar at G-TV and start work on the contract.

Mayor Fischbach brought up Mr. Coleman's prior request to discuss having the employees contribute to their health care costs and suggested they wait for executive session at the end of the meeting. Mr. Coleman suggested that the topic be discussed in open session. Mr. Hicks stated

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that Council had grounds to go into executive session. The vote to enter executive session could decide the matter. Council will take up the matter later in the meeting.

Mayor Fischbach reiterated that the barn on the former Thoreson property will be torn down. Mayor Fischbach also presented an opportunity to view the Thoreson house with Geauga Savings Bank on 14 March at 3:30 PM. Mayor Fischbach suggested Council look at the house as potential property for the Village.

Committees

BZA, Board of Public Affairs: Mr. Ronyak

Mr. Ronyak reported that the Board of Zoning Appeals had not met. The Infrastructure Review Committee meets next Thursday at 2:00 PM. At the Board of Public Affairs meeting, the board discussed purchasing new remote read meters. The approximate cost is \$280,000. This is a possible use for the inheritance money.

Mayor Fischbach asked Council to start considered plans and goals for use of the inheritance money. Mayor Fischbach suggested an evening meeting in the first part of April to discuss ideas.

BCPA, Trees, Cemetery, Local Government: Mrs. Lillibridge

Mrs. Lillibridge reported that the Tree Commission met. The Tree Commission would like the Council to establish the criteria for who gets engraved bricks on Arbor Day and to make recommendations as to who gets them. The Tree Commission liked the idea of a walkway made of the engraved bricks to centralize their location and protect them. The Tree Commission also wanted to know why they have to pay for Mr. Motil's training in tree planting and maintenance. Mrs. Beaumier acknowledged that she was the one behind the question of paying for Mr. Motil's training. Mayor Fischbach stated that the amount for the school was only \$135 and that the Tree Commission funds actually came from the Village. On the subject of whom and why someone gets an engraved brick, Mayor Fischbach stated that he would work on the criteria.

Mrs. Lillibridge reported that the BCPA met and Claridon Township reported that they were seeking a grant for shared equipment through collaboration. Mrs. Lillibridge deferred to Mr. Dvorak. Mr. Dvorak stated that he was working towards more shared services and equipment between municipalities. Some 42 million dollars is available state wide for loans and some grants when two or more municipalities work together to share services. Mr. Dvorak invited the Village to a meeting of the Geauga County Township Association April 11 at the Grandview Inn

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where the key speaker will be discussing collaboration and shared services grants and loans. Mr. Dvorak recounted Burton Township's collaboration with Newbury Township on the use of a boom mower included the agreement to share the operator. There is the possibility of an Equipment Tax District in the probable event that the state money goes away.

Mr. McNish commented that he was a former Road supervisor and that he had been sharing equipment ten years ago however the biggest obstacles were shared labor, public perception and road safety with limited manpower. Mayor Fischbach was cautious about entering into collaborative agreement for equipment given the different equipment needs of the Village but agreed to look into the matter further.

Mrs. Lillibridge stated that the Growth Partnership is continuing to discuss potential problems with fracking. Mr. Mike Fath has been researching oil companies and found that only the state has the authority to force oil companies to reveal the chemicals they use in fracking.

The Troy Township Homecoming is the 3rd Saturday in August. Berkshire Schools will be operating in the black for this school year. Parkman Township is opposed to a fire District. The Geauga Growth Partnership internship program is going very well. And the Cemetery Board meets on the 19th of March.

Streets and Health District: Mr. Hauser

Mr. Hauser presented Council with a handout listing projects the Street Department will be taking on. Mr. Hauser reported that he and Mr. Motil had discussed created a walk of fame for the engraved tree commission bricks and offered an alternative whereby the bricks will be placed in the walk around the gazebo to offer more protection from heavy traffic.

Mr. Hauser informed Council that Mr. Penttila had provided a design for the rehabilitation of the public restrooms at the log cabin and the approaching driveway to meet Americans with Disabilities Act guidelines. Mr. Hess has been asked to provide a project cost.

Mr. Hauser noted that the Kubota tractor is cleaned up and ready for sale at the end of the winter season.

Mr. Koroshes asked Council to provide a sign identifying the restricted speed times on North Cheshire for welfare of students crossing the road and so that motorist know the times. Mayor Fischbach asked Mr. Johnston to work with Chief Smigelski on the matter.

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Mr. Hauser reminded Council that the annual County Health District meeting is next month.

Community Grants, Historic District: Ms. Swaney

Ms. Swaney will be working on Safety town later in the year. Ms. Swaney reported Mrs. Pat Hauser has submitted a request for a Certified Local Government Grant to conduct an inventory of all the homes in the National Historic District.

The ADA rehabilitation presented by Mr. Hauser is to be paid for a grant from the Community Development Block Grant Fund. Mr. Paquette is working on the application.

Mr. Hauser asked if the banners being put up by the Historic Review Board required permission from the Illuminating Company. After discussion, Mayor Fischbach directed Mr. Hauser to just go ahead and put them up, as long as they didn't cross streets or go from pole to pole.

Fire Department, Berkshire Schools, Planning Commission: Mr. Coleman

Mr. Coleman reported that the Planning Commission had not met and that Mrs. Lillibridge's report on school finances covered everything there.

Mr. Coleman stated that there is a Geauga Economic Leadership breakfast at Kent State Geauga on April 4th and the topic of discussion will be fire districts. Mr. Coleman and Mr. Hauser will try to attend.

Finances, Police representative, Historic District Architectural Review Board: Mr. Johnston

Mr. Johnston reported that the Historic District Review Board approved a sign for a flashlight store and a sign for the new Gunrunners mail order annex.

Mr. Johnston reported that he had received several vocal complaints regarding the potential destruction of the Odd Fellows Hall now owned by and next door to the Fire Department. Mayor Fischbach noted that the Fire Department had obtained a recommendation from the County to condemn the building and tear it down. Now the Fire Department must clear this with the Village Historic District Review Board and the State of Ohio Historic Board.

Mr. Johnston reported that the Historic District Review Board is developing criteria delineating what constitutes an historic building and how to place it on the historic register of the Village.

Mr. Johnston was asked about Huntington Bank's bright green signs and markers. Ms. Swaney stated that the Bank had received permission to use them, and in fact these were muted from the original signs they wanted to

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use. Huntington has also obtained permission to put up a fence on the north side of the building to conceal the air conditioner.

Old Business:

No old business was brought to Council.

New Business:

Mrs. Beaumier asked Council and those present to attend the American Legion Ladies Auxiliary 'Oink and Squeal' fund raising event on 21 April. Proceeds go to a scholarship of \$1000 to a Berkshire student and \$1000 to a Middlefield student.

Mr. Hauser stated that he had toured the Village with the Mayor last week and felt that it was important for Council to get involved in getting it cleaned up. Many properties in the Village are looking trashy and ill kept.

Mr. Coleman pointed out that there is no Burton Recreation Board. There is a Berkshire Recreation Association that is privately funded. There is a provision in the Burton Codified Ordinances to empanel a Joint Recreation Board. Mayor Fischbach and Mr. Hauser recalled that the last board was disbanded for lack of volunteers. Mr. Coleman felt strongly that the Village should provide some funding for recreation in the School District through a Joint Recreation Board and that interested volunteers could be found on the existing Berkshire Recreation Association. Mr. Coleman offered to look into it further. Council discussed the potential of a levy to fund the Rec Board. Mr. Hauser moved to have Mr. Coleman conduct a feasibility study of reconstituting the Recreation Board. Ms. Swaney seconded the motion. By voice vote motion passed.

Mr. Ronyak moved to enter executive session to discuss employee compensation. Mr. Coleman seconded the motion. Roll Call: Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Linda Swaney – Yes, Brian Johnston – Yes, Charles Hauser – Yes. Council entered executive session at 8:40 PM

Mr. Coleman move to leave executive session at 9:18PM and return to regular session. Mr. Ronyak seconded the motion. Roll Call: Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes, Charles Hauser – Yes. Motion passed.

Mr. Hauser moved to adjourn and Mr. Ronyak seconded the motion. Meeting adjourned at 9:19 PM.

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Mayor

Fiscal Officer