

**Council Meeting
29 October 2012**

Mayor Fischbach called the meeting to order at 7:10 PM.

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

Visitors: Jack Garner, Joe Kozial, Marcianne Kimpton, Rick Smigelski, David Ondrey, David Kleve, Jonathan Kleve, Steve Malensek, Jack Garner, Lee Koroshes, Ann Wishart, Rick Gruber, Dennis Szmanski.

Mayor Fischbach recognized visitors. Mr. Jonathan Kleve was visiting Council as part of a school project. Ms. Swaney pointed out the Mr. Kleve had recently attained the rank of Eagle Scout.

Council discussed moving Halloween Trick or Treat from October 31, 2012 to an alternate date because of the inclement weather. Council decided on 3 November 2012, from 5:30 PM to 7:00 PM.

Police Report:

Chief Smigelski reported for September 2012. There were 232 incidents for the month, 5 arrests and 79 traffic stops. Police worked 667 hours. Chief Smigelski reported to Council that he had met with Mr. Motil and Mr. Hauser to discuss preparations for the incoming storm.

Solicitor:

Mr. Ondrey had nothing to report. Mr. Paquette asked about filing an appeal for a worker comp finding if the worker in question, a part time Village employee had quit the Village on his own accord and had a finding related to another company. Mr. Ondrey noted that the cost for him to file an appeal would be more than the amount owed. However the appeal process was simple and Mr. Paquette could do it. Mr. Paquette agreed to look into it.

Ordinances and Resolutions:

Ms. Swaney placed Resolution 2012-16, conveying to the Governor of Ohio and the Ohio General Assembly the Council of the Village of Burton's dissatisfaction with the current laws pre-empting local control over oil and natural gas extraction and calling for a repeal of any and all laws that preclude local control of oil and natural gas extraction and the associated risky industrial activity, on second reading.

29 October 2012 Council

Ms. Swaney placed Ordinance 2246-12, amending section 121.01 of the Codified Ordinances of the Village of Burton to require two council meetings per month unless voted upon at a prior meeting to suspend the next meeting, on second reading.

Ms. Swaney introduced Ordinance 2248-12, authorizing the Mayor and Fiscal Officer of the Village of Burton to enter into an agreement with the Burton Volunteer Fire Department, Inc. for fire and emergency services from January 1 2013 through December 31 201, and placed it on first reading.

Ms. Swaney introduced Ordinance 2249-12, adopting the Interim Annual Appropriation for 2013, and placed it on first reading.

Ms. Swaney introduced Ordinance 2250-12, approve adopt and enact 2012 replacement pages to the Codified Ordinances, and placed it on first reading.

Fiscal Officer

Mr. Paquette asked Council for any comments on the Interim Budget and explained that the interim budget was only about a third of the proposed final 2013 budget, just enough to carry operations over into the new year.

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

Mr. Paquette asked for comments or a motion to accept the minutes of 27 September 2012. Mr. Johnston moved to accept the minutes as written. Ms. Swaney seconded the motion. By voice vote, motion passed.

Mr. Johnston moved to accept the minutes of 15 October 2012 as written, and Mr. Coleman seconded the motion. By voice vote, motion passed.

Mr. Coleman moved to accept the minutes of 22 October 2012 as written and Mr. Johnston seconded the motion. By voice vote, motion passed.

Mayors Report:

Mayor Fischbach reported that the Village was prepared for the coming inclement weather.

Old Business:

Mayor Fischbach introduced the topic of selecting a new zoning inspector and noted that there were three prospective applicants at the meeting. Mayor Fischbach asked each to stand up and give a brief introduction of themselves to Council.

1. Mr. Dennis Szmanski, stated that he was a retired electrical engineer living in Middlefield OH. Mr. Szmanski was also a teacher and a real estate agent. He noted that he had retired from those professions also. He had not had a current realtor's license for over a year. Mr. Johnston asked about his availability during the day. Mr. Szmanski replied that he was available most days due to his retired status.
 2. Mr. Rick Gruber introduced himself as a 40 plus year resident of Burton Township. He stated that he worked in Solon as a mechanical engineer and project manager. A recent empty nester parent, Mr. Gruber was looking to expand his role in the community. When asked, Mr. Gruber stated that he usually worked 8 to 5 during the week but would make time as needed.
 3. Mr. Steve Malensek introduced himself as a 23 year resident of the Village. Mr. Malensek has a job as a construction contractor – home maintenance contractor. His job is flexible enough so that could arrange time off during the day as needed for the job.
- Mr. Coleman asked all three if they had any problems with meeting with other local zoning inspectors to get tips and brainstorm problems. All three said they did not.

New Business:

Chief Smigelski, reported that the new cab and chassis for the street department was complete. Chief Smigelski asked for a motion to obligate the Village for \$8,500 to put on a truck bed and lights on the new truck. Mr. Hauser moved to allow Chief Smigelski to purchase a truck bed and lighting for the new street truck. Mr. Coleman seconded the motion. Roll Call: Charles Hauser – Yes, Jeff Coleman – Yes, Linda Swaney – Yes, Brian Johnston – Yes. Motion is adopted. Mr. Paquette will provide a purchase order.

Chief Smigelski also recommended to Council that the v-plow, currently on Govdeals auctions, be removed from the auction and re auctioned as part of the total package of the 2002 Street dump truck. Council agreed, Mr. Paquette will withdraw the v plow from auction.

Mr. Coleman moved to enter executive session to discuss personnel issues. Mr. Hauser seconded the motion. Roll Call: Jeff Coleman – Yes, Charles Hauser – yes, Brian Johnston – Yes, Linda Swaney – Yes. Council entered executive session at 7:55 PM.

29 October 2012 Council

Mr. Coleman moved to leave executive session at 8:05 PM. Mr. Hauser seconded the motion. Roll Call: Jeff Coleman – Yes, Charles Hauser – yes, Brian Johnston – Yes, Linda Swaney – Yes.

Mr. Johnston moved to adjourn and Mr. Hauser seconded the motion. Meeting adjourned at 8:07 PM.

Mayor/President Pro-tem

Fiscal Officer