

**Joint BPA and Council Meeting
13 November 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 – No.
BPA: Curt Johnson – Yes, Judith Beaumier – Yes, Glenn Bomback – Yes.

Visitors: Jack Garner, Joe Koziol, Marcianne Kimpton, Rick Smigelski, Jared Flynn, Ann Wishart, Roberta Dobay, Paul Eaton, Diane Valen, Debbie Palmisano, Chip Hess.

Mayor Fischbach recognized Ms. Debbie Palmisano as current member of the tree commission and a recent graduate of the Tree Academy put on by the Ohio Department of Natural Resources, Division of Urban Forestry. Mayor Fischbach read a proclamation dedicated to Ms. Palmisano for her good works as a member of the tree commission.

Mayor Fischbach then recognized Ms. Diane Valen. Ms. Valen is a current member of the tree commission and will be leaving the board at the end of this year. Mayor Fischbach read a Proclamation thanking her for her dedicated service.

Mayor Fischbach recognized Roberta Dobay as an applicant for the position of Zoning Inspector in the Village. Ms. Dobay is a resident of the Village and presented herself as available every day to help preserve the community of Burton. Her current job is part time at the Burton Public Library and she has experience with nonprofits and the paper work needed to operate. Ms. Dobay expressed interest in preserving the Village by communicating with businesses and residents. Mayor Fischbach asked her what she would add to the zoning inspector job for the Village and she stated that she was committed to preserving and helping the Village and was available in the Village.

Mayor Fischbach recognized Debbie Palmisano as an applicant for the position of Zoning Inspector in the Village. Ms. Palmisano, in addition to the work she does for the tree commission, worked part time as zoning inspector for Burton Township and currently works part time for herself in a gardening company. Ms. Palmisano, a Village resident, stressed educating the public about zoning and seconded Ms. Dobay's desire to preserve the community of Burton.

Solicitor Report to BPA:

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Mr. Flynn had nothing to report.

Fire Department Report: Not Available

Zoning Inspector: Deferred

Old Business:

Council was asked if there were any questions or comments on the 2013 Budget. Mr. Paquette assured them that the final 2013 budget would not complete until after the first of the year, so changes can still be made. The Interim budget does need to be passed so that day to day expenses can be paid. Council had no questions.

Mr. Hess was asked to brief Council on the current status of the Waste Water Treatment Plant Expansion. Mr. Hess explained that ARCADIS was wrapping up the hydraulic study so that BPA could move forward with its phasing plans. A WPCLF form was submitted to the Ohio EPA as a place holder for a zero percent loan for the entire cost of the project.

Mayor Fischbach reported that Hess and Associates was the only firm to respond to requests for proposals from the Village for the engineering on the Rapids Road Issue I project. Mr. Ronyak moved to accept Hess and Associates as the engineering firm of record for the Rapids Road Issue I project. Mr. Hauser seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Linda Swaney – Yes, Dianne Lillibridge – Yes. Motion passed.

Mr. Hess went on to report that the water shut off boxes on East Center Street were clogged with grit and have been tarred over. Mr. Hess explained that he had spoken with ODOT and they were aware of the Villages concern. Whether ODOT spoke with the contractor is unclear.

Mr. Hess mentioned that Cook Street is ready to be advertised. Mr. Paquette stated that he had put the advertisement in the News Herald for Thursday 15 November and Wednesday 21 November with an opening date of 11 December at noon in the Village office.

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 final reading. Mr. Ronyak asked for a brief explanation of purpose of the Resolution noting that it seemed vague. Mr. Flynn stated that although it was a little vague, it conveyed the idea of Council's opinion on local control of oil and natural gas extraction to the Governor. Ms. Swaney moved to adopt and Ms. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Craig Ronyak – No, Charles Hauser – No. Motion passed.

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 final reading and moved to adopt. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – No, Dianne Lillibridge – Yes, Charles Hauser – Yes. Ordinance 2246-12 is adopted.

Ms. Swaney placed 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 2013, on final reading and moved to adopt. Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Ordinance 2248-12 is adopted.

Ms. Swaney placed Ordinance 2249-12, adopting the Interim Annual Appropriation for 2013, on second reading and moved to waive further readings. Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Craig Ronyak – Yes, Charles Hauser – Yes.

Ms. Swaney moved to adopt Ordinance 2249-12. Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Ordinance 2249-12 is adopted.

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

Ms. Swaney introduced Ordinance 2251-12, adopting and approving the updated solid waste management plan for the Geauga-Trumbull solid waste management district, and placed it on first reading. Mr. Ronyak

asked for an explanation of the ordinance. Mr. Paquette briefly explained that the Geauga Trumbull Waste Management plan defined how solid waste is taken care of in the county including charges to private haulers and identifying disposal sites. Mr. Ronyak moved to waive further readings and Ms. Swaney seconded the motion. Roll Call: Craig Ronyak – Yes, Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Charles Hauser- Yes. Motion passed.

Ms. Swaney moved to adopt Ordinance 2251-12 and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Charles Hauser – Yes. Ordinance 2251-12 is adopted.

Fiscal Officer

Mr. Paquette asked Council for time to have Ms. Palmisano give her presentation. Ms. Palmisano made a presentation to Council on the status of trees in the Village pointing out that some of the more than 1200 public trees in the Village are in need of assistance.

Mr. Paquette asked for comments or a motion to accept the BPA minutes of 9 October 2012. Mrs. Beaumier noted one correction on page two of the minutes, work session 'is' scheduled, not 'was' scheduled. Mrs. Beaumier moved to accept the minutes as amended. Mr. Bomback seconded the motion. By voice vote, motion passed.

Mr. Paquette asked for comments or a motion to accept the Council minutes of 29 October. Mr. Coleman moved to accept the minutes as written and Mr. Ronyak seconded the motion. By voice vote, motion passed.

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

Cashiers Report:

Not available.

Committee Reports:

Board of Zoning Appeals, Infrastructure Review; Mr. Ronyak

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Mr. Ronyak reported that the BZA had not met. The Infrastructure review was essentially good to go.

BCPA, Local Government, Cemetery, Fire Department; Mrs. Lillibridge

Mrs. Lillibridge reported on the BCPA meeting from last Thursday. An invited speaker addressed BCPA attendees on the topic of Fire Districts. Benefits include shared resources and services and lowered costs. The speaker is available to meet with all the affected parties if desired. Mayor Fischbach received a nod from Council signaling their interest in such a meeting. Mrs. Lillibridge will try to set it up. Mrs. Beaumier asked Mrs. Lillibridge to relay some questions/comments to the Fire department. Mrs. Beaumier wanted to know why the Fire Department couldn't pay for a percentage of the water used to fill its tanker,

Economic Development, Streets; Mr. Hauser

Mr. Hauser reported that the new truck is in our possession and at a garage being outfitted with a dump body. The leaf vac was down temporarily last week with a faulty bearing but the repair has been completed. Another problem cropped up with the clutch of the leaf vac but that will be fixed shortly.

Safety Town, Historic District, Grants; Ms. Swaney

Ms. Swaney reported that she passed the most recent grant applications from the state to the Historic District Association to see if there was anything they wanted to do with the Council's assistance.

School District, Planning Commission, Trees and Parks; Mr. Coleman

Mr. Coleman noted that the Planning Commission meets on the 27th of this month. Mr. Coleman will be meeting with JFS Technology on Friday to learn more about their price on school zone lights. Mr. Coleman hopes to have something to Council at the next meeting. Mr. Coleman deferred to Mr. Hauser who explained that the flashing school light on Route 87 was repaired for approximately \$600.

Mrs. Beaumier mentioned that she would like to see the Berkshire Rec association publish its leaf raking fund raising efforts better.

Finance, Historic Architectural Review, Police; Mr. Johnston

Not available to report.

BPA Operator's Report;

Mr. Eaton had nothing to report. Mr. Johnson brought up the three water shutoff boxes on East Center that need to be adjusted to grade after the recent repair efforts by ODOT. The boxes are full of grit and have been

tarred over. Mayor Fischbach and Mr. Johnson asked Mr. Flynn to write a letter to ODOT to resolve the issue. Mr. Hess will assist.

New Business:

The current company removing trees for the Tree Commission has not completed the work. Mr. Coleman, asking for the Tree Commission, wanted to know if a standard contract with failure to perform penalties could be used in the future. Mr. Flynn thought that it was possible and that he could provide wording to that effect. Mr. Paquette will attempt to contact the contractor tomorrow.

Mr. Coleman had a suggestion from the Tree Commission that a part time arborist be hired at a recommended not to exceed amount of \$6,000 annually. Council will take under consideration. Mr. Coleman recommended Ms. Palmisano as the arborist. Mr. Coleman wondered if the arborist would be a part time employee or an independent contractor and if that status would be affected by the need to access Village computers. Mr. Flynn didn't think it would matter one way or the other as far as computer access went.

Mr. Johnson suggested starting formally cross training one street employee in the water/sewer side. Council and BPA discussed. Mr. Eaton thought that the idea was good but noted that in the past street employees had been hesitant to get the necessary inoculations.

Mayor Fischbach asked Council if they wanted to enter executive session to discuss personnel issues, namely a zoning inspector. Council declined to enter executive session.

Mr. Ronyak moved to adjourn and Mrs. Beaumier seconded the motion. Meeting adjourned at 8:10 PM.

Mayor/President Pro-tem

Fiscal Officer