

**Council Meeting
10 June 2013**

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

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

Visitors: Marcianne Kimpton, Jack Garner, Chad Eldridge, Judith Beaumier, Josh Echt, Mike Sestak, Debbie Palmisano, Marty Motil, Rick Smigelski, Joe Kozial, Roberta Dobay.

Mayor Fischbach recognized Marcianne Kimpton. Mrs. Kimpton thanked the Street Department and Council for the work on the cemetery for Memorial Day.

Fire Department Report:

Chief Sestak reported for the month of May. Burton Village had 6 ems calls and 3 fire calls. Burton Township had 16 EMS calls and 6 fire calls. Total calls for the month were 56. Total calls for the year are 269, up from 246 at this time last year. Council had no questions for the Chief.

Engineers Report:

Mr. Eldridge reported that the Cook Street mill and fill project plans and specifications are mostly completed and will be ready to go out to bid next week. Council discussed and decided to hold off the bid process until the next Council meeting.

The punch list for the Cook street water line project is done.

Mr. Hess is working on a bid specification for point repairs for the water/sewer department.

Rapids Road project planning is continuing. It is possible that three or four trees will have to be removed to meet ODOT safety guidelines. Ms. Palmisano, village consulting arborist, suggested to the Tree Commission and Council that a tree root expert be hired to provide an idea of the cost to preserve the root system and therefore the trees in question if possible. The cost of consultation is approximately \$150. Ms. Palmisano recommended Busy Bee Tree Service. The question before Council was whether the cost should be borne by the Tree Commission or the project. Council discussed. Mr. Coleman moved to hire Busy Bee Tree Service for consulting on the roots and to pay for the work from the General Fund. Ms. Swaney seconded the motion. By voice vote motion was approved.

Zoning Report:

Mr. Rick Gruber was not available to report.

Mayor Fischbach recognized Mr. Motil. Mr. Motil requested approval from Council to have a salt hopper sand blasted and painted. The lowest bid was from Diversified Maintenance for \$1,887. A purchase order has been prepared and work was budgeted for this year. Mrs. Lillibridge moved to accept the quote of Diversified Maintenance to sandblast the salt hopper. Mr. Coleman seconded the motion. By voice vote motion passed.

Mr. Motil asked Council to consider two quotes for repair work on sidewalks and aprons at various locations around the Village. The quotes were compared and did not seem to match up for scope of work. Mr. Motil will contact the companies. Council tabled the matter until the next meeting.

Mr. Motil asked Council to consider two quotes for replacement of the Village Office sign in front of the Library and the sign for the Village line on Rapids Road. Mr. Motil recommended Willowleaf as the more experienced sign company with regard to Village signs. Willowleaf made the current Village signs. Council discussed and not satisfied the detail in the quotes regarding what would be on the sign in front of the Library. Council asked for drawings or renderings of what the signs would look like. Mr. Motil would get more information for the next meeting.

Mr. Coleman asked Mr. Motil about installation of the flashing school signs. Mr. Motil deferred to Chief Smigelski. Chief Smigelski stated a map of the school zone had been journalized. The engineers could stake the location based on the map and ODOT. Mayor Fischbach asked Mr. Motil and Chief Smigelski to have more information for the next Council meeting.

Ordinances and Resolutions:

Ms. Swaney placed Ordinance 2256-13, adopting the tax budget for Fiscal Year 2014 and declaring an emergency, on second reading.

Mr. Coleman asked why this was declared an emergency but not passed now. Mr. Paquette explained that the emergency status allows the ordinance to immediately go into effect.

Ms. Swaney introduced Resolution 2013-15, requesting tax advances for the second half real estate tax collection on July 3rd and July 12th and declaring an emergency, and moved to waive further readings. Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney - Yes, Dianne

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Lillibridge – Yes, Jeff Coleman – Yes, Brian Johnston – Yes, Charles Hauser – Yes.

Ms. Swaney moved to adopt Resolution 2013-15 and Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Hauser – Yes. Resolution 2013-15 is adopted.

Ms. Swaney introduced Resolution 2013 -10, declaring it necessary to levy a tax in excess of the 10 mil limitation, and placed it on first reading.

Ms. Swaney introduced Resolution 2013-17, certifying the availability of funds to pave and improve ADA access to facilities in the park, and moved to waive further readings.

Mayor Fischbach explained to Council that the Village had attempted to get a Community Development Block Grant for \$96,000 to pay for ADA upgrades to the restrooms and parking lot access at the log cabin. That amount was too high so the Village went back with a phased proposal in the amount of \$68,500. The County was asked to cover \$49,800 of the cost. The Village was awarded the amount requested and its share of the project will be approximately \$18,000.

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

Ms. Coleman moved to adopt Resolution 2013 -17 and Mr. Hauser seconded the motion. Roll Call: Jeff Coleman – Yes, Charles Hauser – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Resolution 2013 -17 is adopted.

Fiscal Officer

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

Mr. Paquette asked for a motion to accept the minutes of the 28 May council meeting. Mr. Hauser moved to accept the minutes of 28 May as written and Mr. Johnston seconded the motion. By voice vote, motion approved.

Mayors Report:

Mayor Fischbach noted that the Community Development Block Grant had already been discussed. The Memorial Day Celebration went very well.

Committees

BPA, Fairboard, Century Village, Ordinance Review: Mr. Ronyak
Mr. Ronyak was not available to report.

BCPA, Grants, Cemetery, Local Government: Mrs. Lillibridge
Mrs. Lillibridge noted that Berkshire Community Planning Association (BCPA) meets 13 June at the Burton Township Hall. BCPA will be discussing the Fire District and potential reviews of the Burton Fire Plan. Mr. Johnston reported that the BCPA is attempting to get someone from Concord Township to come to the meeting to discuss their efforts to create a Fire District in Concord.

Streets, Economic Development, BZA, and Health District: Mr. Hauser
Mr. Hauser noted that Mr. Motil had covered the Street department work. The Chamber of Commerce has created an Economic Development guide for businesses. Nothing to report from the Health District or the Board of Zoning Appeals.

The Chief of Police recognized Chief Smigelski. Chief Smigelski had nothing to report. Mrs. Beaumier asked about the rights of bicyclists to ride more than two abreast in the street as seemed to happen recently. Chief Smigelski commented that he had met several times with the bicycle event organizers and they were aware of the rules of the road for bikers. Mayor Fischbach asked if the Village was prepared for the mass of motorcycles at the upcoming event. Mr. Johnston and Chief Smigelski confirmed that they were prepared but the event was probably going to be smaller than popularly reported.

Community Programs, Newsletter, Historic District: Ms. Swaney
Ms. Swaney reported that Historic District Association is preparing for the Founders Day celebration on 23 June. The event will honor Judy Beaumier, Elmer Bollinger, Robert Stack Sr., Tucker Pfouts and Paul Adams with commemorative paving bricks. In addition, the Burton Public Library and Mr. Larry Shibley have been recognized by the Historic District Association for their efforts in historic building preservation in the Village.

Trees and Parks, Berkshire Schools, Planning Commission: Mr. Coleman
Mr. Coleman had nothing to report from the School District. Mr. Coleman relayed a concern of Mr. Roger Miller about school children walking on Huff Avenue. Mr. Coleman commented on the lack of sidewalks or berms on the road, no marked crossing and no street light at one end. Council and Mr. Eldridge were asked to submit some ideas.

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

Mr. Johnston had nothing to report.

Old Business:

Mr. Paquette reminded Council that John Tripodo, Village intern, starts tomorrow.

Mr. Coleman commented on the statement read by Mr. Eldridge on behalf of Mr. Hess at the last meeting. Regarding Mr. Hess contention that he had been chosen as the project engineer by the Village, Mr. Coleman stated that the Village reserves the right to obtain other engineers for any project with engineer costs expected to exceed \$50,000. This in no way should be reflected as comment on the work done by Mr. Hess.

New Business:

Mr. Paquette asked Council for permission to pay Ms. Palmisano quarterly for her work as arborist to the Village.

Mr. Coleman moved to pay Ms. Palmisano per her contracted rate and Mr. Hauser seconded the motion. Roll Call: Jeff Coleman – Yes, Charles Hauser – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Motion passed

Mr. Coleman moved to adjourn and Mr. Johnston seconded the motion. Meeting adjourned at 8:23 PM.

Mayor

Fiscal Officer