

15 July 2013 Council

**Council Meeting  
15 July 2013**

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

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

**Visitors:** Marcianne Kimpton, Jack Garner, Chip Hess, Josh Echt, Rick Smigelski, Jane Koroshes, Lee Koroshes, Tom Blair, Vicki Blair.

Mayor Fischbach asked for a moment of silence to honor the passing of Councilman Charles Hauser.

Mayor Fischbach recognized Mr. Thomas Blair. Mr. Blair presented the Mayor and the Village with a check for \$500.00 as a donation toward Burton Village Safety Town. The Mayor thanked him for his generosity.

**Engineers Report:**

Mr. Hess presented the results of the bids for the Cook street repaving project. Ronyak Paving was the lowest bid at \$61,477.30 with a bid of \$7088.00 for the alternate. The other bidder was Burton Scott who came in at \$62,904.00 and an alternate bid of \$8,860.00. Mr. Hess originally estimated the cost of the project, without engineering, at \$52,500. The advertised estimated cost was \$57,000 with an alternate of \$13,000. Burton Scott's bid was more than 10% above the estimated cost and was therefore not considered. Mr. Paquette advised Council that only \$52,500 was appropriated for the job based on the original estimate and therefore a revised appropriation would be required to ensure the work could be paid for. Mayor Fischbach noted that due to absent and open Council seats and the fact that Mr. Ronyak must recuse himself from the vote, the bid could not be voted on at this meeting. Mrs. Lillibridge wanted to see the project rebid. Mr. Johnston agreed with Mrs. Lillibridge. Mr. Coleman asked if the difference in bid price was the cost of material. Mr. Hess stated that cost of material did go up but that there was also an additional line item called pavement repair added to the job which amounted to about \$11,000 in cost as bid. Council decided to wait until 22 July to make a decision on rebidding or not.

Mr. Hess brought up the point repair work bid out by the BPA. Two of the items on the list rightfully fall under the Street Department to pay for. The cost to the Street Capital Fund would be \$6,190. The work will be performed by Phil Miller Construction, who was awarded the remainder of the contract by BPA. Mrs. Lillibridge moved to accept the bid of Phil Miller Construction for the work specified as part of street repairs. Mr. Coleman

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seconded the motion. Roll Call: Dianne Lillibridge – Yes, Jeff Coleman – Yes, Brian Johnston – Yes, Craig Ronyak – Yes. Motion passed.

Mr. Hess reported that Rapids Road goes out to bid on Friday. The Fiscal Officer will advertise.

Mr. Hess and Chief Smigelski reported that they were working together to identify the precise locations for the new school zone signs, including the solar powered flashing light signs. ODOT has declined to make recommendations for placement. As a result, Chief Smigelski has requested that Council approve Mr. Hess and to work with him on reviewing ODOT regulations. Council had no problems and only encouraged Chief and Mr. Hess to complete installation prior to the start of the next school year. Chief Smigelski felt that a lot of the work can be done in house.

**Fire Department Report:**

Chief Sestak was not available to report.

**Zoning Report:**

Mr. Rick Gruber was not available to report.

**Ordinances and Resolutions:**

Mrs. Lillibridge placed Resolution 2013 -10, declaring it necessary to levy a tax in excess of the 10 mil limitations, on final reading and moved to adopt. Mr. Ronyak seconded the motion. Roll Call: Dianne Lillibridge – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Brian Johnston – Yes. Resolution 2013-10 is adopted.

Mrs. Lillibridge introduced Ordinance 2253-13, authorizing the Mayor and the Fiscal Officer to enter into an agreement with the City of Akron, Ohio for certain properties associated with the Village's wastewater treatment plant, water plant, and street garage and declaring an emergency, and placed it on first reading.

**Fiscal Officer**

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

Mr. Paquette asked for a motion to accept the minutes of the 24 June meeting. Mrs. Lillibridge moved to accept the minutes of 24 June as written and Mr. Coleman seconded the motion. By voice vote, motion approved.

**Mayors Report:**

Mayor Fischbach read the following proclamation for Charles J. Hauser into the minutes.

Whereas, Charles J. Hauser was born on August 4, 1943 in Cleveland Ohio to Edward and Anna Hauser, and,

Whereas, Charles J. Hauser was a longtime resident of Burton, loving husband of Patricia, father of Theron (Dawn), Michael (Kimberly), grandfather of Andrew, Brandon, Madison, Marissa, and Mickayla, and,

Whereas, Charles faithfully and lovingly served his community as a member of the Burton Jaycees, Berkshire Boosters Club, and the Burton Chamber of Commerce, and,

Whereas, Charles enjoyed the Great Geauga County Fair, cherishing time with his family and friends, and,

Whereas, Charles devotedly and distinctly served the Village of Burton for the past four years as Burton Village Councilman and Street Commissioner, and,

Now therefore, let it be proclaimed, Charles J. Hauser was a true inspiration to his family and community and will always be remembered for his strength and determination, as well as, his commitment to the Village of Burton and its residents.

Mayor Fischbach informed those present that Council has thirty days from the passing of Mr. Hauser to fill the vacant Council seat. The vacancy has been advertised and the Council will hear applicants for the seat at the next meeting, 22 July 2013.

In the interim Mayor Fischbach offered the position of Street Commissioner to Chief Smigelski. Chief Smigelski will decide on acceptance by the next meeting.

**Committees**

BPA, Fairboard, Century Village, Ordinance Review: Mr. Ronyak  
Mr. Ronyak reported that the BPA had accepted the bid of Phil Miller to make pavement repairs at various locations. The BPA Ordinances were still being reviewed. The Fairboard is preparing for the 2013 Fair.

BCPA, Grants, Cemetery, Local Government: Mrs. Lillibridge  
Mrs. Lillibridge noted that Berkshire Community Planning Association (BCPA) met 11 July at the Burton Village Hall and discussed a Council of Governments (COG). A representative from Concord Township COG will be at the 8 August BCPA meeting at Claridon Township Hall at 7PM.  
Cemetery Board has not met.

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Streets, Economic Development, BZA, and Health District:  
No report

Community Programs, Newsletter, Historic District: Ms. Swaney  
Ms. Swaney was not available to report.

Trees and Parks, Berkshire Schools, Planning Commission: Mr. Coleman  
Mr. Coleman had nothing to report from the School District or Trees and Parks.

Finances, Police and Fire representative, Historic District Architectural Review Board: Mr. Johnston  
Mr. Johnston reported that the Architectural Review Board had met to approve signs at the businesses going in on East Park. Mr. Johnston also expanded on the purpose of the COG and encouraged Council to attend the meeting if possible.

**Old Business:**

No old business introduced.

**New Business:**

Mrs. Lillibridge commented that she felt disappointed with performance of the Village engineer on recent and past projects in the Village and expressed a desire to interview other engineering firms for Village work. Mr. Coleman echoed her sentiments. Mayor Fischbach asked when Mr. Hess' contract was up. Mr. Paquette replied, February 2014.

Mr. Coleman moved to enter executive session to discuss possible litigation of a Village employee. Mr. Ronyak seconded the motion. Roll Call: Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes. Council entered executive session at 7:47 PM.

Mr. Coleman moved to leave executive session and go back into session and Mr. Ronyak seconded the motion. Roll Call: Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes. Council left executive session at 7:52 PM.

Mr. Ronyak moved to adjourn and Mr. Coleman seconded the motion. Meeting adjourned at 7:53 PM.

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Mayor

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Fiscal Officer