

**Council Meeting
15 October 2013**

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, Brian Johnston – No, Charles Boehnlein- Yes.

Visitors: Marcianne Kimpton, Jack Garner, Chad Eldridge, Josh Echt, Jane Koroshes, Lee Koroshes, Sue Fisher, Joe Kozial, Rick Smigelski, Judy Beaumier, Laura Klingensmith.

Mayor Fischbach recognized Marcianne Kimpton. Mrs. Kimpton asked about corrective action on the property on the north side of the Burton Library. The property is overgrown and unkempt. Mayor Fischbach will refer the matter to the zoning inspector.

Mayor Fischbach recognized Lee Koroshes. Mr. Koroshes complained that the new flashing school signs were too high and not noticeable to traffic. Mr. Koroshes reported many people not seeing the sign and high school drivers ignoring the speed limit leaving school. Council discussed with Chief Smigelski. Chief Smigelski noted that that the signs were placed according to current ODOT standards. Chief Smigelski discussed various options including lowering the sign, more signs, brighter lighter and a more visible police enforcement. Chief Smigelski offered to bring on some extra patrol at times near the school letting out.

Mayor Fischbach recognized Sue Fisher. Ms. Fisher reiterated her concern about having to creep forward past the stop sign from Kirtland onto North Park because of cars parking in a formerly no parking zone at Kirtland and East Park. The area in question is in front of Neet Lights. There were hash marks noting that certain areas were no parking areas that have now been covered over. Cars parking there make it difficult to safely enter traffic on East Park from Kirtland. The Mayor referred the matter to Chief Smigelski to look at moving the stop sign forward.

Mayor Fischbach recognized Laura Klingensmith. Mrs. Klingensmith informed Council that her neighbor to the south had installed yard drains in his backyard and routed the drain pipe in way that drained out onto the sidewalk in front of the Klingensmith house. Mrs. Klingensmith felt that the potential for ice buildup was a safety concern and that the situation needed to be addressed. Chief Smigelski reported that he had spoken to Mr. Motil of the Street Department and learned that Mrs. Klingensmith's neighbor is planning on tying into the storm drains and is getting

contractor bids. Chief Smigelski offered to meet with Mrs. Klingensmith after the meeting to provide more details.

Engineers Report:

Mr. Eldridge reported that Rapids Road Issue I was slowed due to issues with Dominion Gas Company. The gas company has not gotten back to the Village with a timeline for moving a gas pipe that will interfere with construction.

Mr. Eldridge also talked about the Wastewater treatment plant expansion plans. BPA voted to move ahead with the project as one complete event. A phased version of completing the project was discussed but that would require a resubmittal of the program request to OhioEPA and more money. The project is estimated to cost between 7 and 9 million dollars and last approximately three years, from design bid to final construction. Mr. Paquette reported that the BPA was planning on funding the plant with a zero percent loan and paying for the loan using sewer revenues. The rate increases of recent years make this possible.

Fire Department Report:

Chief Sestak was not available to report. Mayor Fischbach asked Mrs. Lillibridge to report to Council on the meeting held 10 October with Claridon, Burton Township, the Village and the Fire Department. Mrs. Lillibridge noted most of the presentation was a repeat of past information concerning the jobs and community work done by the fire department. Mr. Paquette added that the budget provided by the Fire Department was inconclusive and lacked a lot of specifics. The budget as proposed was a 64% increase from the prior year; however it may be that the budget represented a wish list, and not actual minimum needs. Mr. Paquette suggested that the Village and other municipalities needed the number of calls for each municipality and a hard copy of the proposed formula (known as the Chardon formula). Claridon Township has agreed in principal to using the Chardon formula for determining costs. Mr. Paquette and the other fiscal officers from the townships and fire department are getting together to look at funding also. The Berkshire Community Planning Association is meeting Thursday, 17 October in the Burton Village offices to discuss the formula. Mr. Coleman felt that the proposed split in reported calls from the Geauga County Fair should be handled differently than proposed at the meeting.

Zoning Report:

Mr. Rick Gruber was not present to report however a written summary was made available to Council.

Ordinances and Resolutions:

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Ms. Swaney placed Resolution 2013-20, expressing support for the Geauga Health District replacement levy and an additional one tenth levy, on final reading. Mr. Coleman moved to adopt and Mrs. Lillibridge seconded the motion. Roll Call: Jeff Coleman – Yes, Dianne Lillibridge – Yes, Linda Swaney – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Resolution 2013-20 is adopted.

Ms. Swaney introduced Ordinance 2259-13, accepting the HCC Public Risk of Ohio property and liability insurance contract and authorizing the Mayor and Fiscal Officer to enter into an agreement with Pease Kerr Canfield Insurance Partners as agents for HCC Public Risk of Ohio in an amount not to exceed \$14,097 and declaring an emergency, and placed it on first reading. Mr. Boehnlein moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Linda Swaney – Yes. Motion passed

Mr. Ronyak moved to adopt Ordinance 2259-13 and Mr. Boehnlein seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Boehnlein – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Linda Swaney – Yes. Ordinance 2259-13 is adopted.

Fiscal Officer

Mr. Paquette asked for a motion to pay approved bills. Mr. Ronyak moved to pay approved bills and Mr. Boehnlein seconded the motion. By voice vote, motion approved.

Mr. Paquette asked for a motion to accept the minutes of 23 September. Mrs. Lillibridge moved to accept the minutes as written. Mr. Coleman seconded the motion. By voice vote, motion approved.

Mr. Paquette reported the following:

All Departments and Committees are working on their 2014 budgets. The Tree Commission and Cemetery Board have submitted requests and Police/Streets will be meeting with the Fiscal Officer on Friday 18 October. Mr. Eaton is working on the Utilities budget.

Mayors Report:

Mayor Fischbach asked Chief Smigelski to check on complaints about school buses taking Garden Street instead of going around the Park. Chief Smigelski reported that he had addressed this concern with the Berkshire School Transportation director and a letter was sent out to all schools reminding them not to use Garden Street as a cut through. Mrs. Lillibridge asked the police department to also watch out for semi-trucks

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doing the same thing. Mayor Fischbach also asked if the school signs on Garden could be lowered a little to be more visible to motorists. Chief Smigelski will look into it.

Committees

BPA, Fairboard, Century Village, Ordinance Review: Mr. Ronyak
Mr. Ronyak reported that the BPA had authorized going forward with the Wastewater Treatment Plant expansion as covered earlier. The clambake and apple butter festival went very well.

BCPA, Grants, Cemetery, Local Government: Mrs. Lillibridge
Mrs. Lillibridge reported that the Cemetery Board met and set lot prices for 2014 as well as accepting the quotes from contractors for burials and foundations. ALICE training at the Library was very informative. Chief Smigelski discussed the potential usefulness of the class and mentioned that they are training in the school, library and maybe Burton HealthCare.

Economic Development, BZA, and Health District:
Mr. Boehnlein had no report.

Community Programs, Newsletter, Historic District: Ms. Swaney
Ms. Swaney reported that members of the Historic District Association will be attending a training program in November at no cost to the Village. Ms. Swaney asked Chief Smigelski for assistance in setting up the AAA safe driving program.

Trees and Parks, Berkshire Schools, Planning Commission: Mr. Coleman
Mr. Coleman reported that the Tree Commission had met and come up with a budget that focused on protecting the existing trees in the Village. The Tree Commission set a goal of getting more information out to the public about the Tree Ordinances in the Village.

Mr. Coleman turned to the subject of public funding for the Berkshire recreation fund. Mr. Coleman proposed that the Village set up a line item in the Village budget to provide money to the Berkshire Recreation Board or Burton Youth League. Mr. Coleman stated his intention to introduce legislation at the next meeting to require the Village to sustain this funding. Each municipal government in the Berkshire School District would be funding the sports league separately.

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

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Mr. Johnston was not available to report. Mr. Paquette said that discussion of finance and the Fire department had already covered most topics.

Old Business:

No old business was brought up.

Ms. Swaney moved to enter executive session to discuss pending litigation. Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Entered executive session at 8:15 PM. Mr. Paquette was invited to stay for the session.

Mr. Coleman moved to leave executive session at 8:28 PM. Ms. Swaney Seconded the motion. Roll Call: Jeff Coleman – Yes, Linda Swaney – Yes, Dianne Lillibridge – Yes, Craig Ronyak – Yes, Charles Boehnlein –Yes,

New Business:

No new business was introduced.

Mr. Ronyak moved to adjourn and Mr. Boehnlein seconded the motion. Meeting adjourned at 8:30 PM.

Mayor

Fiscal Officer