

**Council Meeting
22 July 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 – Yes.

Visitors: Marcianne Kimpton, Jack Garner, Todd Hicks, Chip Hess, Rick Smigelski, Josh Echt, Yolita Rausche, Mazie Adams, Bethany Mintz, Judy Beaumier, Charles Boehnlein, Tom Blair, Vicki Blair, Pat Hauser, Lee Koroshes, Jane Koroshes, Jim Croup, Jennell Dahlhausen.

Presentation: Mayor Fischbach introduced Ms. Yolita Rausche and her associates and asked them to proceed with their presentation. Ms. Rausche along with her staff of Mazie Adams and Bethany Mintz were hired by the Village to conduct an intensive historic and architectural review of 42 properties within the Historic District of Burton. Ms. Rausche described the process by which the survey was conducted, the work that went into completing the survey, and the expected results. This presentation was a required event in the process. The reason for the survey included creating a protective plan for the historic structures in the Village which is in line with the motto of the Village, where history lives. The survey will help obtain grants for the upkeep of the buildings. Ms. Rausche then provided a brief history of a few of the buildings. At the conclusion Ms. Rausche took questions.

Ms. Swaney moved to enter executive session to discuss appointment of a Council replacement. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes. Council entered executive session at 7:52 PM.

Ms. Swaney moved to leave executive session at 8:10 PM and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes.

Mayor Fischbach asked Council to consider their choices to fill the seat of Charles Hauser and to make a motion for the candidate of their choice. Mr. Johnston moved to have Mr. Charles Boehnlein fill the vacant seat on Council for the remainder of the term. Mrs. Lillibridge seconded the motion. Roll Call: Brian Johnston – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Abstain, Linda Swaney – Yes, Craig Ronyak – Yes. Motion passed.

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Mayor Fischbach proceeded to swear Mr. Boehnlein in and had him take a seat at the Council table. Mayor Fischbach thanked the other candidate for the seat, Lee Koroshes, for his interest and support of the Village and encouraged him to stay active in the government of the Village in some capacity.

Ms. Swaney moved to enter executive session to discuss contractor performance. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes. Council entered executive session at 8:20 PM

Ms. Swaney moved to leave executive session at 8:35 PM and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes.

Police Report:

Chief Smigelski reported for the month of June. The Department responded to 103 incidents, made 19 traffic stops, and wrote 13 reports. Officers worked 871.5 hours. Auxiliary Officers worked a total of 128 hours for the month.

Chief Smigelski reported that Safety Town is ready to go for the end of August.

Chief Smigelski reported to Council that a series of power brown outs took place at the Police Department causing the loss of one computer and the air conditioning unit. The computer data can likely be salvaged however the program that controls the management and copying of video from the Police cars may need to be replaced. The total loss of physical property is near the cost of the Village deductible and therefore does not warrant a claim against insurance. The video management software is a third party product and that company is out of business. Chief Smigelski is attempting to find a replacement or information. Council had no problems with replacing broken and necessary equipment.

Solicitors Report:

Mr. Hicks had nothing to report.

Zoning Report:

Mr. Gruber was not available to report.

Ordinances and Resolutions:

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Ms. Swaney placed Ordinance 2252-13, 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, on second reading. Mr. Ronyak moved to waive further readings. Mrs. Lillibridge seconded the motion. Roll Call: Craig Ronyak – Yes, Dianne Lillibridge – Yes, Jeff Coleman – Yes, Brian Johnston – Yes, Linda Swaney – Yes, Charles Boehnlein – Yes. Motion passed.

Ms. Swaney moved to adopt Ordinance 2252-13 and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Boehnlein – Yes. Ordinance 2252-13 is adopted.

Fiscal Officer

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

Mr. Paquette asked for comments or a motion to adopt the 15 July 2013 minutes. Mrs. Lillibridge recommended a correction on page 3, in the final paragraph, second sentence change 'Burton Township Hall' to read 'Burton Village Hall'.

Mrs. Lillibridge moved to adopt the minutes of 15 July 2013 as amended and Ms. Swaney seconded the motion. By voice vote, motion passed.

Mr. Paquette informed Council of their right to object to the renewal of any liquor permit in the Village. Council can request a hearing provided a resolution is passed that sets out the objections of Council under legal grounds specified in OH RC 4303.292(a) after which the solicitor will have to attach a legal opinion stating that the resolution is based upon substantial legal grounds under the intent of the law.

Mr. Paquette informed Council that in the last appropriation Council approved a budget increase for Cemetery Operations of \$8000. That increase was to cover the cost of clearing and seeding the new cemetery addition. The cost of that clearing and seeding was born by the General fund therefore Mr. Paquette recommended only transferring \$2000 to Cemetery and informing the Cemetery Board of the limitation to the current year appropriation. Council agreed.

Mayors Report:

Mayor Fischbach informed Council that he was appointing Chief Smigelski as interim Street Commissioner for a period of 90 days. The goal is to

provide a more active personnel management presence. Mr. Johnston also recommended that because of the increased responsibility, Chief Smigelski receive a bump in pay. Council discussed. Mr. Coleman pointed out those previous Council members who served as Street Commissioner received no extra pay for the added responsibility. In addition, Mr. Coleman asked if the precedence being set would influence anyone taking the job if Council decided to revert back to an elected official acting as Street Commissioner. The Mayor weighed that issue and asked Council wait until the next meeting when more information on the amount and what other communities were doing was available.

Old Business:

Mayor Fischbach asked Council what they wanted to do about the bid for paving on Cook Street. Mr. Paquette and Mr. Hess explained that Ronyak paving had the low bid and that the other bidder was more than 10% above the engineers advertised estimate. Mr. Coleman summarized saying that Council could accept the bid, rebid the job, or cancel and wait until next year to rebid. After discussion Ms. Swaney moved to accept the bid of Ronyak Paving. Mr. Johnston seconded the motion. Roll Call: Linda Swaney – Yes, Brian Johnston – Yes, Jeff Coleman – Yes, Dianne Lillibridge – No, Craig Ronyak – Abstain, Charles Boehnlein – Yes. Motion passed. Mr. Hess will contact Ronyak Paving to see if they can still meet the 'before fair' deadline.

New Business:

Mayor Fischbach asked Council if they had any problems with him communicating to Mr. Charles Imars about the declining condition of Burton Fox Inn and what he wanted to do about it. Council encouraged the Mayor to talk to Mr. Imars.

Mr. Ronyak moved to adjourn and Ms. Swaney seconded the motion. Meeting adjourned at 9:01 PM.

Mayor/President Pro-tem

Fiscal Officer