

**Council Meeting
25 February 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, Charles Hauser – Yes, Brian Johnston – Yes.

Visitors: Joe Kozial, Marcianne Kimpton, Rick Smigelski, Ann Wishart, Jack Garner, Judy Beaumier, Todd Hicks, Debbie Palmisano.

Police Report:

Chief Smigelski reported for January 2013. There were 113 incidents for the month, 9 arrests and 38 traffic stops. Police officers worked 819.5 hours. 1231 miles were put on the police cars.

Chief Smigelski reported that he is working with the Berkshire School system on the School Resource Officer and is planning on making a presentation to the school board in the near future.

Mr. Johnston noted that while he was initially skeptical of the reserve officer program for the Village, the program has worked out exemplary and is a model for other departments in the area. Mr. Johnston also singled out Officer Lewis for outstanding initiative and extra effort in the apprehension of a wanted individual. The Mayor asked Chief Smigelski to extend his congratulations to Officer Lewis also.

Chief Smigelski informed Council that the office phones are now forwarded to the duty officers phone so that residents can always reach a live person.

Ordinances and Resolutions:

Ms. Swaney placed Resolution 2013-07, strongly opposing the passage of HB 601 by the Ohio General Assembly which proposes uniformity measures for municipal income tax in the form of unfunded mandates and a substantial loss of revenue, and declaring an emergency, on second reading.

Ms. Swaney placed Ordinance 2253-13, amending Sections 1131.01 and 1169.05 of the Burton Village Planning and Zoning Code, on second reading.

Ms. Swaney placed Ordinance 2254-13, amending the Subdivision Regulations for the Village of Burton, on second reading.

Ms. Swaney introduced Resolution 2013-09, requesting the County Auditor to certify to the taxing authority the total tax valuation of the subdivision and the dollar amount of revenue that would be generated by a specified number of mills, and placed it on first reading.

Fiscal Officer

Mr. Paquette asked for a motion to pay approved bills. Mr. Ronyak moved to approve payment and Mr. Hauser seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Motion passed.

Mr. Paquette asked for comments on the minutes of 11 February. Mrs. Lillibridge noted a change on page three in the paragraph beginning Community, the word through is deleted after Burton. And on page four in the paragraph about new business, the word maybe should be may be. Mrs. Lillibridge moved to accept as amended. Mr. Coleman seconded the motion. By voice vote, motion passed.

Mr. Paquette reported that the police levy is being requested as a renewal. The 2 mill levy was first passed in 1998 and will generate an estimated \$39,171 at 100% collection. The cost per \$100,000 of home value will be \$39.72. Mr. Coleman suggested that the levy be a replacement or a new levy be put in place. Chief Smigelski explained that the Police department wanted to ensure a line of revenue before asking the public to approve an increase. Therefore Mr. Johnston and Chief Smigelski were recommending a renewal now and a replacement in one or two years. Mr. Paquette reminded Council that the Fire Levy renews in 2014.

Mayors Report:

Mayor Fischbach asked Council to review the information provided by Cleveland State University regarding a comprehensive plan. Mayor Fischbach emphasized Mrs. Lillibridge's part in the Berkshire Community Planning Association's efforts to establish a district wide comprehensive plan and the need to get one together now. Mayor Fischbach asked Council to be prepared to discuss at the next meeting.

Mayor Fischbach reported to Council that he and Mr. Paquette had spent Saturday interviewing internship candidates. Ten students were interviewed. The program had 26 students seeking positions with a number of companies. The students presented themselves very well. The Village should know next month who will be its intern.

Old Business:

Mr. Coleman discussed a proposed ordinance and contract to hire Debbie Palmisano as the Village Arborist. Mr. Coleman noted that the Tree Commission had duties that were very complex and really required the assistance of someone well versed in trees. Mr. Coleman read some of the duties of Tree Commission including the requirement to produce and annually update a master tree plan for the Village. Ms. Palmisano would be hired to do no more than 200 hours of works, not to exceed \$5000.00. Mr. Coleman acknowledged that the cost worked out to \$25 per hour. Mr. Johnston asked about the clause in the proposed contract to cover out of pocket expenses. Mayor Fischbach stated that like regular employees, if Ms. Palmisano had to travel, attend training, or purchased an approved item out of pocket, she would be reimbursed outside of the cost of the contract. Mrs. Lillibridge asked if Arborist could commit funds for the Village and a job description. Mr. Coleman did not have one available.

Ms. Swaney introduced Ordinance 2255-13, authorizing the Mayor to enter into an agreement with Debbie Palmisano for professional services commencing March 1, 2013 and ending February 28, 2014, and moved to waive further readings. Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – No, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Hauser – Yes.

Ms. Swaney moved to adopt Ordinance 2255-13 and Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – No, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Ordinance 2255-13 is adopted.

Ms. Palmisano asked about her position on Tree Commission. Mr. Hicks noted that she could not serve on the Tree Commission and be a contractor.

Mr. Paquette asked Mr. Coleman if the contract was correct as drafted. Mr. Coleman indicated that it was. Mr. Paquette will send a copy to Mr. Hicks for review.

Mayor Fischbach noted that Council had now had a chance to review all employee evaluations and recommended to Council a 2.5% across the board pay raise for all employees. Mr. Johnston moved to approve a 2.5% pay raise for employees effective this pay period. Ms. Swaney seconded the motion. Roll Call: Brian Johnston – Yes, Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – No, Craig Ronyak – Yes, Charles Hauser – Yes. Motion passed.

New Business:

Ms. Swaney informed Council that Mr. Shibley would be making a presentation to the Historic District Review Board and the Historic District

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Association to meet their annual training requirement on March 6th in the former Gunrunner storefront on the corner of North Cheshire and West Park. The program will start at 7PM and Council is invited.

Mr. Johnston asked about the Log Cabin lease and added that he is looking into the finances of the Chamber of Commerce with regard to the Log Cabin. Mr. Hicks reported that he has not heard from the Chamber's lawyer as of yet. Mayor Fischbach stated that he had no problem with Mr. Johnston's approach. Mayor Fischbach will be contacting the Chamber president if nothing is heard soon.

Mrs. Beaumier promoted the American Legion Auxiliary Oink and Squeal event and offered to sell tickets at \$2 apiece.

Mr. Ronyak moved to adjourn and Mr. Coleman seconded the motion. Meeting adjourned at 7:30 PM.

Mayor/President Pro-tem

Fiscal Officer