

**Council Meeting
12 May 2014**

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

Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Boehnlein- Yes.

Visitors: Jack Garner, Chip Hess, Lee Koroshes, Jane Koroshes, Joe Kozial, Marcianne Kimpton, Rick Gruber, Holly Lynn, Rick Smigelski, George Hess, Austin Jackson

Zoning Report:

Mr. Gruber made the following report. Zoning approved a lighted sign permit for Coffee Corners and referred the permit to the Historic District Review Board for final approval. Berkshire Elementary inquired about a permit for a small lean-to greenhouse. No permit was required. Mr. Kovacs received a permit to construct a shed. Mr. Gruber reported that he was still working on property maintenance issues at the Briggs residence on Spring Street and the Neill residence on Carlton. Mr. Gruber also reported that he investigated a complaint about a filled swimming pool on a property on Rapids Road that was in foreclosure. The Village has little recourse at this time since there is a fence and the pool is above ground.

Engineers Report:

Mr. Hess reported that the Rapids Road project is waiting on word from ODOT regarding the removal and remediation of contaminated soil on site.

Mr. Hess reported that the storm sewer line found on Seco and Elmar definitely needs repair. The quote received from Phil Miller Construction to do the work is \$28,656. Council discussed whether there was an absolute need to do all the work at once or just pieces identified by Mr. Hess as being most serious. Some residents are connected by sump pump to this line. The water line work done in the area may have affected the drainage that was taking place without the correct piping. Council was concerned about the cost. Mayor Fischbach felt that there were sufficient funds in the Village to complete the project. Mr. Paquette thought there might be funds available in Street Capitalization although he would confirm before issuing a purchase order. Mr. Johnston moved to accept the quote from Phil Miller construction for \$28,656 and Mr. Boehnlein seconded the motion. Roll Call: Brian Johnston – Yes, Charles

Boehnlein – Yes, Tom Blair – No, Dianne Lillibridge – No, Linda Swaney – Yes, Craig Ronyak – Abstain. Motion passed.

Fire Department Report:

Chief Lewis was not available to report. Mayor Fischbach reported that the County Building and Health Inspectors were completing a report on the condition of the Fox Inn and Council could expect it in a week.

Ordinances and Resolutions:

Ms. Swaney placed Resolution 2013-14, declaring it necessary to levy a tax in excess of the ten mill limitation on second reading. The levy concerns the fire levy.

Mr. Koroshes asked for clarification on the meaning of "in excess of the ten mill limitation". Mr. Paquette explained that 10 mills amounted to the portion of the taxable property tax that could be taxed by the Village and County without a vote. The Village retains 3 mills while the remainder is split for schools and county government. Any funds needed over and above the 10 mill allocation require a vote of the electorate. The Village is asking for a renewal of the fire levy in the amount of 4.75 mills to continue for four year.

Fiscal Officer

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

Mr. Paquette asked for comments or approval of minutes of the 28 April meeting. Mrs. Lillibridge presented a change on the second page; in the paragraph at the top of the page, change there to their in the sentence starting 'Mr. Johnston asked the home owners'. Mrs. Lillibridge moved to accept the minutes as amended. Ms. Swaney seconded the motion. By voice vote, motion approved.

Mr. Paquette asked Council if they had any question about the proposed legislation for the street light levy. And Mr. Paquette notified Council that the 2015 Tax budget and accompanying legislation would be available at the next council meeting.

Mayors Report:

Mayor Fischbach complimented the Street Department for their work repairing pot holes this spring.

Mayor Fischbach announced that the contract with Debbie Palmisano as Village arborist has been signed and that Ms. Palmisano has agreed to an

arrangement whereby she will provide a monthly report to Council and the Tree Commission.

Mayor Fischbach reported that the Village will provide flowers for the gazebo at a price not to exceed \$1000. Mr. Ronyak is gathering donations and support from local business including Hess Engineering, Vinecourt Landscaping, Mr. Hiscox, and Ronyak Brothers Paving to place flowers in the traffic triangles around the park. The Street Department will also be trimming the bushes around the Gazebo.

The Mayor informed Council that he will be setting up a committee to work on the Strategic Plan for the Village.

The second meeting in May originally scheduled for 26 May has been moved to 19 May because of the Memorial Day weekend.

Mayor Fischbach reported that he is looking at the possibility of increasing home delivery access of mail for Village residents along some streets.

And Mayor Fischbach informed Council that Ms. Kirby Date will be meeting with the Strategic Planning Committee on June 18 2014 to discuss our options and help suggest a survey plan.

Committees

BPA, Fairboard, Century Village, Ordinance Review – Craig Ronyak

Mr. Ronyak reported that the BPA discussed adding a 25% surcharge to multi-unit meters. The Fairboard and Century Village have nothing going on at this time. Mr. Ronyak will be working on the ordinance review next week with Chief Smigelski.

BCPA, Local Govt., Cemetery, Grants- Dianne Lillibridge

Mrs. Lillibridge reported that BCPA had not met recently. The Cemetery board has not met recently.

Planning Commission, Board of Education, BZA – Tom Blair

Mr. Blair had nothing to report.

Historic District Assoc., Newsletter, Safety Town, Community Programs – Linda Swaney

Ms. Swaney reported that the newsletter is complete. The Historic District Association has received and is considering nominations for commemorative bricks and a preservation award. Founders Day is scheduled for June 15.

Health District, Finances, Trees and Parks– Charles Boehnlein

Mr. Boehnlein reported that the Arborist is obtaining the services of Independent Tree to trim the Honey Maple trees along North Cheshire. The Tree Commission is also working on having a company air knife the trees in the park.

Historic District Architectural Review Board, Police/Fire, - Brian Johnston
Mr. Johnston reported that the Historic District Architectural Review Board (HDRB) will meet tomorrow to continue updating the Village policy regarding historic preservation.

Old Business:

Mayor Fischbach reported that the Subway is doing well with one minor incident involving a patron at Coffee Corners and a potential Subway customer. The situation is being investigated and should be resolved shortly.

Mayor Fischbach asked Chief Smigelski to explain the current events regarding the sink hole at Indian Ridge. Chief Smigelski recounted the events of the sinkhole formation and presented three quotes, labor and equipment only, to repair the hole. Phil Miller Construction quoted \$10,000, Eclipse Construction quoted \$17,000 and Clemson Excavating quoted \$6,700. The Village will provide all material for the repair at an estimated cost of \$9,300. Mr. Johnston asked if there were any responsible parties left from the original construction of the Indian Ridge subdivision. There are apparently none still in business. Mr. Hess noted that contractors usually had a limited life guarantee on construction work and that the subdivision was well past that in age.

Mr. Blair moved to accept the quote from Clemson Excavating for labor to repair the sinkhole at \$6,700. Mr. Ronyak seconded the motion. Roll Call: Tom Blair – Yes, Craig Ronyak - Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes, Charles Boehnlein – Yes. Motion passed.

Mr. Johnston asked that in the future all requests for capital projects involving fund expenditure approval be considered at one time on the agenda.

New Business:

Mayor Fischbach reported to Council that the owners of the Burton Family Restaurant have offered to sell the building to the Village for \$250,000. The Council discussed briefly and will consider. The Mayor is seeking more information.

Mrs. Lillibridge suggested that the Council consider bringing the Berkshire School property north of the Village into the Village. Ms. Swaney asked how the Village could do this and what would be the next step. Mayor Fischbach will discuss with Village legal counsel the procedure to begin annexation of property into the Village.

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

Mayor/President Pro Tempore

Fiscal Officer