

**Council Meeting  
13 January 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:** Marcianne Kimpton, Jack Garner, Chad Eldridge, Chip Hess, Rick Gruber, Rick Smigelski, Josh Echt, Al Tolchinsky, Dawn Tolchinsky, Lee Koroshes, Jane Koroshes, Tom Erikson, Jeremy Neill, Ken Lewis.

Mayor Fischbach welcomed everyone to the opening meeting of Council in 2014. Mayor Fischbach swore in Dianne Lillibridge, Charles Boehnlein, and Craig Ronyak as Council members; Al Tolchinsky was sworn in as a member of the Board of Zoning Appeals; and Jeremy Neill was sworn in as a member of the Board of Public Affairs.

Ms. Swaney thanked Council for their support as her term expires as Council President Pro Tempore and moved to nominate Brian Johnston as the next President Pro Tempore. Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Abstain, Craig Ronyak – Yes. Motion carried.

Mayor Fischbach made committee assignments for Council as follows:  
Linda Swaney/–Historic District Association/Community Programs/Safety Town/Newsletter  
Craig Ronyak – BPA/Century Village/Fair Board/Ordinance Review  
Tom Blair – Board of Zoning Appeals/Planning Commission/School  
Dianne Lillibridge – BCPA, Cemetery Board /Local Government/Grants  
Charles Boehnlein–Health District/Trees and Parks/Finance  
Brian Johnston – Council President/ Police and Fire /Architectural Review Board

Mayor Fischbach recognized Mr. Erikson. Mr. Erikson complimented the Police Department. While he and his family were out of town the police kept watch on his home and noticed that he had a gas leak. The alert kept a serious problem from escalating to possible loss of property and life. Mr. Koroshes added his thanks to the Police department for watching the Herrington property where the same problem was noted. Thanks to the Police department these gas leaks were detected early and before anyone were harmed or property lost.

Mayor Fischbach swore in Mrs. Kimpton to the Cemetery Board.

**Fire Department Report:**

Chief Lewis thanked the Village and Mr. Johnston for support and the new fire contract.

**Zoning Report:**

Mr. Rick Gruber had no report.

**Engineers Report:**

Mr. Hess reported on the Rapids Road project noting that cold weather has slowed down work. The contractor was paid by the State although no notice has been received by the Village yet. An unmarked storm sewer was found on Seco/Elmar that may require extra attention with the possible addition of drains and access points.

**Ordinances and Resolutions:**

Ms. Swaney introduced Ordinance 2264-14, employing Dennis M. Coyne as village prosecutor for the Village of Burton for the years 2014 and 2015 and declaring an emergency. Ms. Swaney moved to waive further readings. Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Craig Ronyak – Yes. Motion passed.

Ms. Swaney moved to adopt Ordinance 2264-14 and Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Boehnlein – Yes. Ordinance 2264-14 is adopted.

Ms. Swaney introduced Ordinance 2265-14, authorizing the Mayor to enter into an agreement with Hess and Associates, Inc. for professional services commencing March 1, 2014 and ending February 28, 2016. Mr. Boehnlein moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Dianne Lillibridge – No, Brian Johnston – Yes, Linda Swaney. Motion Passed.

Ms. Swaney asked for discussion of contracts and Mayor Fischbach recommended entering executive session. Mrs. Lillibridge moved to enter executive session to discuss employment contracts and Ms. Swaney seconded the motion. Roll Call: Dianne Lillibridge – Yes, Linda Swaney – Yes, Tom Blair – Yes, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Boehnlein. Council entered executive session at 7:32PM.

Ms. Swaney moved to leave executive session and return to regular session at 7:52PM. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Boehnlein – Yes. Council is back in regular session.

Mr. Ronyak moved to adopt Ordinance 2265-14 and Mr. Boehnlein seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Dianne Lillibridge – No, Brian Johnston – Yes, Linda Swaney – Yes. Ordinance 2265-14 is adopted.

Ms. Swaney introduced Ordinance 2266-14, authorizing the Mayor and Fiscal Officer to enter into an agreement with Thrasher, Dinsmore & Dolan, a legal professional organization, to serve as the Village's solicitor for calendar years 2014 and 2015, and moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – No, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Boehnlein – Yes. Motion passed.

Ms. Swaney moved to adopt Ordinance 2266-14 and Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Craig Ronyak – Yes. Ordinance 2266-14 is adopted.

Ms. Swaney introduced Resolution 2014-01, requesting tax advances for the first half real estate tax collection on January 31st and February 7th and declaring an emergency. Ms. Swaney moved to waive further readings and Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Tom Blair – Yes, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Motion passed.

Mr. Boehnlein moved to adopt Resolution 2014-01 and Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Resolution 2014-01 is adopted.

Ms. Swaney introduced Resolution 2014-02, authorizing the Fiscal Officer to transfer appropriated funds from A01 General Fund to B01 Street, B03 Cemetery Operating, B05 Police, B08 Fire and Rescue Fund, D03 Equipment Capitalization, and D06 Facilities Capitalization and declaring an emergency. Ms. Swaney moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Boehnlein – Yes. Motion passed.

Ms. Swaney moved to adopt Resolution 2014-02 and Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Craig Ronyak – Yes. Resolution 2014-02 is adopted.

Ms. Swaney introduced Resolution 2014-03, authorizing the Fiscal Officer to transfer appropriated funds from E01 Water Operating Fund to E13 Water Distribution and E15 Water Replacement Funds. Ms. Swaney moved to waive further readings and Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Tom Blair – Yes, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Motion passed.

Ms. Swaney moved to adopt Resolution 2014-03 and Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Tom Blair – Yes, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Resolution 2014-03 is adopted.

Ms. Swaney introduced Resolution 2014-04, authorizing the Fiscal Officer to transfer appropriated funds from E02 Sewer Operating Fund to E6B Sewer Bond and Interest Fund and E10 Sewer Tap In Fee Fund. Ms. Swaney moved to waive further readings and Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Tom Blair – Yes, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Motion passed.

Ms. Swaney moved to adopt Resolution 2014-04 and Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Tom Blair – Yes, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Resolution 2014-04 is adopted.

Ms. Swaney introduced Resolution 2014-05, approving the Fiscal Officer to request an amended Certificate of Resources and Permanent Appropriations from the County Auditor regarding the General, Special Revenue, Capital Project, Enterprise Funds, and Fiduciary Agency Funds. Ms. Swaney moved to waive further readings and Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Tom Blair – Yes, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Motion passed.

Ms. Swaney moved to adopt Resolution 2014-05 and Mr. Boehnlein seconded the motion. Roll Call: Linda Swaney – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Craig Ronyak – Yes. Resolution 2014-05 is adopted.

Ms. Swaney introduced Resolution 2014-06, authorizing the Fiscal Officer to advance appropriated funds from A01 General Fund to D04 Street Capitalization and D05 Sidewalk Capitalization. Ms. Swaney moved to waive further readings and Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Tom Blair – Yes, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Motion passed.

Ms. Swaney moved to adopt Resolution 2014-06 and Mrs. Lillibridge seconded the motion. Roll Call: Linda Swaney – Yes, Dianne Lillibridge – Yes, Tom Blair – Yes, Brian Johnston – Yes, Craig Ronyak – Yes, Charles Boehnlein – Yes. Resolution 2014-06 is adopted.

Mr. Paquette withdrew consideration of Resolution 2014-07 at this time.

Mayor Fischbach recommended that Resolution 2014-08 be placed on the agenda for the next meeting to discuss.

#### **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 comments or approval of minutes of the 9 December meeting. Mrs. Lillibridge presented changes on page two; in the Engineers report, it should read Elmar Boulevard and Seco Boulevard vice Avenue. Mr. Boehnlein moved to accept the minutes as amended. Mr. Ronyak seconded the motion. By voice vote, motion approved.

#### **Mayors Report:**

Mayor Fischbach noted that the Village was starting the year with over \$3,000,000 in funds and will end the year in the black. The General Fund starts with \$1,132,000 and ends with around \$600,000. Mayor Fischbach stated that he is completing performance evaluation for employees and will have them available at the next meeting so that Council can consider raises. Mayor Fischbach is recommending 2.5%.

#### **Committees**

Because Committee chairs were only recently established, Mayor Fischbach elected to forego regular committee reports. Instead he asked Council if anyone had anything to report.

#### **Old Business:**

Mr. Paquette asked Council if they were familiar and agreeable to the transfers proposed between funds as part of the budget. Specifically Mr. Paquette asked if Council was alright transferring an additional \$8000 from the General Fund to the Tree Commission given that the General Fund is funding several operating funds in the amount of \$410,000 already and the Tree Commission has a carryover balance of \$23,000. Council asked to have the Tree Commission provide more detail on why it needs the extra revenue. Mr. Paquette noted that the cemetery was receiving \$9000 to complete projects this year. Mr. Paquette also asked if Council had any issue with residing the Street garage. The project will be bid out in March or April and will cost approximately \$20,000. Council had no objections. Mr. Paquette reminded Council that the budget already will need to be amended to account for the WasteWater Treatment Plant loan and changes to the Police Department budget.

**New Business:**

Nothing presented.

Mr. Ronyak moved to adjourn and Mr. Boehnlein seconded the motion. Meeting adjourned at 8:25 PM.

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Mayor/President Pro Tempore

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Fiscal Officer