

**Council Meeting
28 April 2014**

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

Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – No, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Boehnlein- Yes.

Visitors: Jack Garner, Rick Smigelski, Jane Koroshes, Joe Kozial, Ken Lewis, Josh Echt, Todd Hicks, Marcianne Kimpton, Roberta Dobay, Adam Jenkins, Herb Hall, Holly Lynn, Lenore Pikus, Chip Hess.

Mr. Boehnlein moved to go into executive session to discuss hiring of a new employee. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Entered Executive session at 7:01 PM

Mr. Boehnlein moved to leave executive session and return to Council. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Returned to session at 7:22PM.

Mr. Johnston introduced Ordinance 2269-14, hiring Lenore Pikus as a full time Deputy Administrative Assistant. Mr. Boehnlein moved to waive further readings. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Motion passed.

Mr. Boehnlein moved to adopt Ordinance 2269-14 and Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Ordinance 2269-14 is adopted.

Mayor Fischbach swore in Lenore Pikus.

Mayor Fischbach read a proclamation in honor of Arbor Day and presented a copy to Roberta Dobay of the Tree Commission.

Mayor Fischbach recognized Ms. Holly Lynn of the Burton Public Library. Ms. Lynn spoke to Council and those present about the need for funding of the library after many years of cuts in funding from the State. The Burton Public Library has a 1.2 mill replacement and an additional .5 mill levy on the May ballot. Mayor Fischbach endorsed the levy request.

Mayor Fischbach recognized Mr. Jenkins. Mr. Jenkins property on Indian Ridge Trail backs onto a sinkhole resulting from a washout of buried storm sewer pipe in the Village easement. Mr. Jenkins was concerned about the safety of his family and the loss of property value. The hole is about five feet deep and getting wider and deeper with every rainstorm. Mayor Fischbach assured Mr. Jenkins that the Village is looking into the repair and is gathering bids and information to make sure it is done correctly and legally. Mr. Hall, a neighbor of Mr. Jenkins and also affected by the sinkhole, mentioned that there was a Village easement for the storm line along that pipe. Mr. Hess confirmed that the Village had an easement there. Mr. Johnston asked the home owners if they would grant access over their property as needed to the sinkhole. Mr. Hess stated that the property would be returned to normal upon completion of repairs. The repairs are expected to be around \$20,000. Mr. Hess had one quote from Phil Miller Excavating and Chief Smigelski will gather a couple more.

Mayor Fischbach recognized Mrs. Koroshes. Mrs. Koroshes thanked Council for donating to the Easter Egg Hunt this year and stated that the event went very well this year.

Mayor Fischbach recognized Mr. Garner. Mr. Garner asked why the village appointed a three person committee to take up after the Finance Committee. Mr. Boehnlein explained that he had asked the Mayor before Council at the last meeting to make the change because he thought it was better if three council members were looking at the budget.

Fire Department:

Chief Lewis. The Department will continue to attend the second Council meeting of the month. Chief Lewis will provide a report of the number calls at the next meeting.

Police Report:

Chief Smigelski reported for March 2014. Police responded to 128 calls, filed 15 reports, and made 65 traffic stops and 5 arrests. Full time officers worked 514 hours, part-time officers worked 282.5 hours and auxiliary officers worked 48 hours. 3685 miles were put on the cruisers. Second shift was most active with 79 calls.

Chief Smigelski reported that at Ms. Swaney's suggestion, he followed up with the Geauga County Department of Aging and found a program that assisted senior with the movement of heavy object to the curb.

Solicitor Report:

Mr. Hicks deferred his report until the end of Council for an executive session to discuss an ongoing law suit.

Ordinances and Resolutions:

Ms. Swaney introduced Resolution 2014-13, declaring it necessary to levy a tax in excess of the ten mill limitation and placed it on first reading. The levy concerns the fire levy.

Ms. Swaney introduced Resolution 2014-14, declaring it necessary to levy a special assessment for the improvement of various streets within the Village of Burton by supplying said streets with electric lighting pursuant to O.R.C. §727.12 and O.R.C. §727.14, and placed it on first reading.

Fiscal Officer

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

Mr. Paquette asked for comments or approval of minutes of the 14 March meeting. Mrs. Lillibridge moved to accept the minutes as written. Mr. Ronyak seconded the motion. By voice vote, motion approved.

Mr. Paquette informed Council that the 2015 tax budget was out for review with the Department Heads.

Mayors Report:

Mayor Fischbach asked the engineer to report on ODO/Rapids pollution problem. Mr. Hess reported that after testing, ODOT confirmed that the leak was petroleum based and that they would be taking care of it. The project will continue as soon as ODOT has removed the contaminated soil. The storm sewer found on Seco and Elmar was evidently constructed when the residences went in. Mr. Hess expected to have a bid estimate shortly.

Mayor Fischbach reported that he had met with Department heads this morning to go over project status. Mayor Fischbach suggested flowers be planted around the gazebo and asked Council for their input. Chief Smigelski will be obtaining quotes for the flowers from the local nurseries.

Old Business:

No old business was discussed.

New Business:

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Mr. Ronyak moved to enter executive session to discuss ongoing litigation. Ms. Swaney seconded the motion. Roll Call: Craig Ronyak – Yes, Linda Swaney – Yes, Charles Boehnlein – Yes, Brian Johnston – Yes, Dianne Lillibridge – Yes. Council entered executive session at 8:05 PM.

Mr. Ronyak moved to leave executive session and Ms. Swaney seconded the motion. Roll Call: Craig Ronyak – Yes, Linda Swaney – Yes, Charles Boehnlein – Yes, Brian Johnston – Yes, Dianne Lillibridge – Yes. Council left executive session at 8:45 PM and re-opened regular Council.

Mayor Fischbach reported that he had spoken to the Postmistress at Burton Post Office about the availability of home delivery of mail in the Village. The Postmistress will forward a list of available streets she would be willing to have delivery to in the Village.

Mayor Fischbach mentioned that the Burton Fox Inn was still being discussed for demolition by the Fire Department. Mr. Ronyak asked if the Village paid for the repairs to the water line. Mr. Paquette reported that the Village was seeking reimbursement of costs included in the repair.

Mr. Ronyak moved to adjourn and Mr. Boehnlein seconded the motion. Meeting adjourned at 8:50 PM.

Mayor/President Pro Tempore

Fiscal Officer