

**Council Meeting
9 November 2015**

Mr. Charles Boehnlein called the meeting to order at 7:00 PM.

Roll Call: Linda Swaney – Yes, Craig Ronyak – No, Tom Blair – Yes, Roberta Dobay – Yes, Jennell Dahlhausen – Yes, Charles Boehnlein- Yes.

Visitors: Joe Kozial, Marcianne Kimpton, Lisa Hernandez, Dianne Lillibridge, Judy Beaumier, Lee Koroshes, Jane Koroshes, Jack Garner, Rick Gruber, Elmer Bollinger, Mike Sestak, Debbie Palmisano, Chip Hess, Rick Smigelski, Alex Hansel.

Mr. Boehnlein recognized visitors.

Mr. Koroshes reminded visitors of the Veterans Day events scheduled for the American Legion post in the Village.

Mr. Bollinger addressed Council and presented a statement arguing in favor of keeping the Police Department. Mr. Boehnlein thanked Mr. Bollinger and added that he didn't think anyone on Council had suggested doing away with the Police Department.

Engineers Report:

Mr. Hess reported that ODOT is working on drainage issue at West Center and Garden Street.

Fire Department Report:

Mr. Sestak asked if there was language verifying the proposed additional levy. Mr. Boehnlein stated that there was in the form of a resolution already passed by Council. Mr. Sestak then presented Council with three signed copies of the 2015 fire contract, retroactive to the first of the year, to include the 2.5% increase proposed and accepted by the Village. Mr. Sestak then reported that for the past month the Fire Department had responded to 20 calls in the Village, 16 calls in the township and 13 calls to Claridon Township. Total calls for the year are 767, up from last year at this time.

Zoning:

Mr. Gruber reported that permits have been approved for a garage and a metal roof at addresses on Spring Street. Preston Kia is working with the Village to address noise complaints from neighbors. A follow-up letter was delivered to Mr. Finnerty regarding his property at East Park and Kirtland however no response has been received. Mr. Tom Clark of Geauga Maid is the new owner of the property at 13786 West Center and intends to continue to use it as rental property for the near future. This meets zoning requirements as long as it rented out within a year of purchase.

Police Report:

Chief Smigelski did not have a report. Chief Smigelski stated that he was prepared to discuss the hiring of a third street employee. Mr. Boehnlein deferred that decision until Old Business so that Council could go into Executive session.

Arborist Report:

Ms. Palmisano, Village Arborist, provided a report to Council covering pruning and tree maintenance in the Village. While trimming a tree to improve visibility for vehicles leaving the Shannon Court development, Ms. Palmisano also noted that there weren't

any ADA truncated dome sense pads for sight impaired persons wanting to cross Shannon Court Drive. Council noted that Shannon Court is a private drive.

Ordinances and Resolutions:

Ms. Swaney noted that Resolution 2015- 20, pursuant to section 718.01 of the Ohio Revised Code, declaring it necessary to provide for an additional one-half percent income tax to be levied for the purpose of generating revenue for general municipal purposes, directing the Board of Elections to conduct an election and declaring an emergency, was tabled. Mr. Boehnlein asked if Council wanted to un-table the Resolution. Council did not act.

Ms. Swaney noted that Ordinance 2285-15, declaring it necessary to amend section 171.03 (a) of the Codified Ordinances of the Village of Burton Ohio, to provide for an additional tax levied for the purposes of providing funds for general municipal operations, services and capital improvements pursuant to section 718.01 (C) of the Ohio Revised Code and declaring an emergency, was tabled. Mr. Boehnlein asked if Council wanted to un-table the Ordinance. Council did not act.

Ms. Swaney placed Ordinance 2286-15, to amend chapter 171 of the Codified Ordinances of the Village of Burton regarding municipal income tax, on second reading. Ms. Dahlhausen asked for a copy of entire Chapter 171 before a vote to adopt was taken. Council was in agreement.

Ms. Swaney provided an amended Resolution 2015-18, declaring it necessary to levy a tax in excess of the 10 mill limitation and declaring an emergency. The timeline for collecting the levy was considered ambiguous and the recommended change, levied in 2016 for collection in 2017, was added. Ms. Swaney moved to accept the amendment and Mr. Blair seconded the motion. Roll Call: Linda Swaney – Yes, Tom Blair – Yes, Charles Boehnlein – Yes, Jennell Dahlhausen – Yes, Roberta Dobay – Yes. Motion passed. Ms. Dahlhausen recommended that Council check whether or not a motion to waive readings was necessary.

Ms. Swaney introduced Resolution 2015-25, adopting the Updated Geauga County Natural Hazard Mitigation Plan, FY2015, and placed it on first reading. Council discussed whether to wait until next meeting to pass and decided to proceed. Ms. Swaney moved to waive further readings. Ms. Dahlhausen seconded the motion. Roll Call: Linda Swaney – Yes, Jennell Dahlhausen – Yes, Tom Blair – Yes, Roberta Dobay – Yes, Charles Boehnlein – Yes. Motion passed.

Ms. Swaney moved to adopt Resolution 2015-15 and Ms. Dahlhausen seconded the motion. Roll Call: Linda Swaney – Yes, Jennell Dahlhausen – Yes, Tom Blair – Yes, Roberta Dobay – Yes, Charles Boehnlein – Yes. Resolution 2015-25 is adopted.

Fiscal Officer Report:

Mr. Boehnlein asked for a motion to pay approved bills. Ms. Dahlhausen moved to pay approved bills and Mr. Blair seconded the motion. By voice vote, motion approved.

Mr. Boehnlein asked for questions or comments concerning the minutes of 5 October 2015. Ms. Dahlhausen moved to adopt the minutes as written. Ms. Swaney seconded.

9 November 2015 Council

the motion. By voice vote, minutes approved. Mrs. Beaumier asked whether Ms. Dahlhausen could approve the minutes when she was not at the meeting. Ms. Dahlhausen explained that a Council member can vote on the minutes as to form and content without having attended the meeting.

Mr. Boehnlein asked for comments or approval of the minutes of 26 October 2015. Ms. Dahlhausen noted that Mrs. Harmasek should be Ms. Harmasek in all instances, and moved to accept the minutes as amended. Ms. Swaney seconded the motion. By voice vote, motion approved.

Mayors Report:

Mayor Fischbach - absent

Council Committees:

BPA and Local Government – C. Ronyak

Mr. Ronyak was not available to report.

BCPA, Newsletter – J. Dahlhausen

Ms. Dahlhausen reported that BCPA will meet after the election results are posted. One more newsletter will go out this year sometime in December.

Health District Rep, BZA, Finance – C. Boehnlein

Mr. Boehnlein reported that the Health District Committee and Board of Zoning Appeals had not met. The Finance Committee met on 5 November and agreed on some changes to the 2016 budget.

Historic District Association, Grants, Century Village – L. Swaney

Ms. Swaney stated that the Historic District Association met with Century Village. Ms. Swaney submitted a grant request to Walmart for next year's Safety Town.

Cemetery, Trees and Parks – R. Dobay

Ms. Dobay reported that she was not able to attend the last meeting of the Tree Commission and Cemetery boards and had nothing to report. Ms. Palmisano added that Tree Commission will not be meeting in December or January.

Schools, Chamber of Commerce, Planning Commission – T. Blair

Mr. Blair congratulated the Berkshire boys and girls athletic programs for their success this year. The Chamber of Commerce is hanging Christmas decorations on Saturday 13 November. The Planning Commission meets on 7 December 2015 to discuss zoning change proposals with property owners.

Mr. Sestak asked about wiring problems with the Christmas decorations and offered to have the Fire Department check them out for safety.

Old Business:

No old business was discussed.

New Business:

Mr. Boehnlein brought before Council a question from the State Liquor Control Board. The Board asked if Council wanted to hold a public hearing regarding a liquor license

9 November 2015 Council

for Warren's Spirited Kitchen. Council discussed. Ms. Swaney moved to decline to hold a public hearing and Mr. Blair seconded the motion. By voice vote, motion approved.

Ms. Dahlhausen moved to go into executive session to discuss possible employment for the Street Department at 7:38. Ms. Swaney seconded the motion. Roll Call: Jennell Dahlhausen – Yes, Linda Swaney – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Roberta Dobay – Yes. Council is in Executive session.

Ms. Swaney moved to leave executive session at 7:55 and Ms. Dahlhausen seconded the motion. Roll Call: Linda Swaney – Yes, Jennell Dahlhausen – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Roberta Dobay – Yes. Council returned to regular session.

Ms. Swaney moved to accept the ordinance 2090-15 to hire Andrew Csepi for the position of Full-Time Street Laborer and declaring an emergency. Ms. Dahlhausen seconded the motion. Roll Call: Linda Swaney – yes, Jennell Dahlhausen – yes, Tom Blair – yes, Roberta Dobay – yes, Charles Boehnlein – yes.

Ms. Dahlhausen asked to have one meeting on December 21, 2015. After discussion they decided they will discuss the meeting schedule on November 23, 2015.

Ms. Dahlhausen moved to adjourn and Mr. Blair seconded the motion. Meeting adjourned at 8:10 PM.

Mayor/President Pro Tempore

Fiscal Officer