

**VILLAGE OF BOSTON HEIGHTS  
COUNCIL MEETING  
JANUARY 9, 2013  
AGENDA**

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Antal _____ Baxter _____ D. Blakeney _____ G. Blakeney _____ Fenn _____ Polyak _____
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APPROVAL OF AGENDA

Antal _____ Baxter _____ D. Blakeney _____ G. Blakeney _____ Fenn _____ Polyak _____
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CORRESPONDENCE

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GUEST SPEAKER

Jeff Kerr, Principal of EDG, Focus groups of the Comprehensive Plan

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AUDIENCE PARTICIPATION

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ORDINANCES:

ORDINANCE 2013-1-1  
(First Reading)

AN ORDINANCE ESTABLISHING AN OPEN FORUM  
AND AMENDING CODIFIED ORDINANCE  
121.02(e)(6) AND DECLARING AN EMERGENCY

Motion to Suspend 3-Rule Reading
Antal _____ Baxter _____ D. Blakeney _____ G. Blakeney _____ Fenn _____ Polyak _____

Motion to Adopt
Antal _____ Baxter _____ D. Blakeney _____ G. Blakeney _____ Fenn _____ Polyak _____

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RESOLUTIONS:

RESOLUTION 2013-1-1  
(First Reading)

RESOLUTION ELECTING PRESIDENT PRO  
TEMPORE OF THE COUNCIL OF THE VILLAGE OF  
BOSTON HEIGHTS AND DECLARING AN  
EMERGENCY

Motion to Suspend 3-Rule Reading					
Antal	Baxter	D. Blakeney	G. Blakeney	Fenn	Polyak

Motion to Adopt					
Antal	Baxter	D. Blakeney	G. Blakeney	Fenn	Polyak

RESOLUTION 2013-1-2  
(First Reading)

A RESOLUTION DESIGNATING MEMBERS OF THE  
BOSTON HEIGHTS COUNCIL TO VARIOUS  
COUNCIL COMMITTEES, EFFECTIVE JANUARY  
2013, THROUGH DECEMBER 2013 AND DECLARING  
AN EMERGENCY

Motion to Suspend 3-Rule Reading					
Antal	Baxter	D. Blakeney	G. Blakeney	Fenn	Polyak

Motion to Adopt					
Antal	Baxter	D. Blakeney	G. Blakeney	Fenn	Polyak

RESOLUTION VV-2012  
(Third Reading)

A RESOLUTION PROVIDING FOR THE  
APPOINTMENT OF CEMETERY SEXTON FOR THE  
VILLAGE OF BOSTON HEIGHTS FOR THE YEAR  
2013

Motion to Adopt					
Antal	Baxter	D. Blakeney	G. Blakeney	Fenn	Polyak

MOTIONS:

1. Motion to accept Love Insurance Agency as the Insurance Agency of Record.

Motion to Accept					
Antal	Baxter	D. Blakeney	G. Blakeney	Fenn	Polyak

2.

Motion to approve the healthcare package as recommended by Love Insurance Agency, effective February 1, 2013.

Motion to Accept					
Antal	Baxter	D. Blakeney	G. Blakeney	Fenn	Polyak

OLD BUSINESS

Mayor Goney - Resident committee appointments

NEW BUSINESS

COMMITTEE MEETING REPORTS

SAFETY COMMITTEE	F. BAXTER
ROAD COMMITTEE	D. BLAKENEY
LANDS AND BUILDINGS	G. BLAKENEY
CEMETERY TRUSTEES	R. FENN
ECONOMIC DEVELOPMENT	R. ANTAL
PLANNING COMMISSION/BZA	D. POLYAK

EXECUTIVE SESSION

Motion to Enter Into Executive Session					
Antal	Baxter	D. Blakeney	G. Blakeney	Fenn	Polyak

ADJOURN

Motion to Adopt					
Antal	Baxter	D. Blakeney	G. Blakeney	Fenn	Polyak

NOTICE

The complete text of each such Ordinance or Resolution may be obtained or viewed at the Boston Heights Village Hall, 45 East Boston Mills Road in the Office of the Fiscal Officer during office hours.

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading <u>  X  </u>	Waiver 3-Reading Rule _____
ORDINANCE NO: <u>  2013-1-1  </u>	Yes _____	Second Reading _____	Yes _____
INTRODUCED BY _____	No _____	Third Reading _____	No _____

**ORDINANCE ESTABLISHING AN OPEN FORUM AND AMENDING CODIFIED  
ORDINANCE 121.02(e)(6) AND DECLARING AN EMERGENCY**

WHEREAS; the purpose of regular Village Council meetings is to conduct Council business; and,

WHEREAS; the Village Council exists to serve the residents and taxpayers of the Village of Boston Heights; and,

WHEREAS; Village Council meetings are different from community forums or other special meetings, which are conducted to engage with and encourage interactive discussion with the community; and,

WHEREAS; the Village Council still desires to accommodate and encourage public participation as a part of its regular meetings;

NOW THEREFORE be it ordained by the Council of the Village of Boston Heights, County of Summit and State of Ohio:

**Section 1:** That Codified Ordinance 121.02(e)(6) be amended and state as follows:

(6) Order of business. All meetings of Council shall be open to the public. Promptly at the hour set by law on the day of each regular meeting, the members of Council, Fiscal Officer, Mayor, and Solicitor shall take their regular stations in the Council Chambers and the business of Council shall be taken up for consideration and disposition in the following order:

- A. Roll call;
- B. 1. Approval of minutes of previous meeting;  
2. Reading balances in funds – Fiscal Officer;
- C. Open Forum;
- D. Petitions, remonstrances and communications;
- E. Introduction and adoption of resolutions and ordinances;
- F. Reports of officers, boards and committees;
- G. Unfinished business;
- H. New business;
- I. Miscellaneous;
- J. Appropriations;
- K. Adjournment.

**Section 2:** The following statement may be posted in Council Chambers before meetings and/or read at the beginning of each Open Forum: "Persons wishing to make a statement during Open Forum shall provide their name, address, and group affiliation, if any. Individual's comments should be limited to five (5) minutes. Statements regarding Village policy and procedures are appropriate, but statements should not be abusive. To the extent an individual has a question that may be of general interest and may be answered quickly, the Council and/or the Mayor may respond as appropriate. If any situation requires a more involved response, the Council shall ask that the individual direct his/her questions through the appropriate administrative channels."

**Section 3:** That Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 4:** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of the Village residents and to allow for the continued operations of the Village Police Department and other departments and shall therefore take effect and be in force from and immediately after its passage.

PASSED:

\_\_\_\_\_  
BILL GONCY, Mayor

ATTEST:

\_\_\_\_\_  
BETTY KLINGENBERG, FISCAL OFFICER

I, BETTY KLINGENBERG, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Ordinance 2013-1-1 was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this 9th day of January, 2013.

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading <input checked="" type="checkbox"/>	Waiver 3-Reading Rule <input checked="" type="checkbox"/>
RESOLUTION NO: <u>2013-1-1</u>	Yes <input type="checkbox"/>	Second Reading <input type="checkbox"/>	Yes <input type="checkbox"/>
INTRODUCED BY _____	No <input type="checkbox"/>	Third Reading <input type="checkbox"/>	No <input type="checkbox"/>

**RESOLUTION ELECTING PRESIDENT PRO TEMPORE OF THE COUNCIL OF THE VILLAGE OF BOSTON HEIGHTS AND DECLARING AN EMERGENCY**

WHEREAS, Ohio Revised Code Section 731.10 provides:

At the first meeting in January of each year the legislative authority of a Village shall immediately proceed to elect a President Pro Tempore from its own number, who shall serve until the first meeting in January, 2014, after his or her election.

AND WHEREAS, Ohio Revised Code Section 731.10 provides further that:

When the Mayor is absent from the Village or is unable, for any cause, to perform his duties, the President Pro Tempore shall be the acting Mayor, and shall have the same powers and perform the same duties as the Mayor.

NOW THEREFORE be it resolved by the Council of the Village of Boston Heights, County of Summit and the State of Ohio:

**Section 1:** That Donald Polyak is hereby elected and appointed as President Pro Tempore of the Council of the Village of Boston Heights, County of Summit, State of Ohio for the year 2013 and shall serve until Council's first meeting in January, 2014.

**Section 2:** The Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 3:** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of the Village residents and to allow for the continued operations of the Village Police Department and other departments and shall therefore take effect and be in force from and immediately after its passage.

PASSED:

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BILL GONCY, MAYOR

ATTEST

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BETTY KLINGENBERG, FISCAL OFFICER

I, BETTY KLINGENBERG, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Resolution **2013-1-1** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this 9th day of January 2013.

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading <u>  X  </u>	Waiver 3-Reading Rule <u>  X  </u>
RESOLUTION NO: <u>  2013-1-2  </u>	Yes <u>      </u>	Second Reading <u>      </u>	Yes <u>      </u>
INTRODUCED BY _____	No <u>      </u>	Third Reading <u>      </u>	No <u>      </u>

**A RESOLUTION DESIGNATING MEMBERS OF THE BOSTON HEIGHTS COUNCIL TO VARIOUS COUNCIL COMMITTEES, EFFECTIVE JANUARY 2013 THROUGH DECEMBER 2013 AND DECLARING AN EMERGENCY**

BE IT RESOLVED by the Council of the Village of Boston Heights, County of Summit, State of Ohio

**Section 1:** That the CEMETERY COMMITTEE for the year 2013 shall consist of the following council members: Councilman **Ron Fenn, Chairman**, Council persons Dawn Blakeney and Glen Blakeney.

**Section 2:** That the FINANCIAL COMMITTEE for the year 20123 shall consist of the following council members: Councilman **Don Polyak, Chairman**, Council persons Frank Baxter and Dawn Blakeney.

**Section 3:** That the PUBLIC SAFETY COMMITTEE (Police and Fire Departments) shall consist of the following council members: Councilman **Frank Baxter, Chairman**, Council persons Dawn Blakeney and Ron Antal.

**Section 4:** That the LANDS AND BUILDING COMMITTEE for the year 2013 shall consist of the following Council members: Councilman **Glen Blakeney, Chairman**, Council persons Frank Baxter and Ron Antal.

**Section 5:** That the ROAD COMMITTEE for the year 2013 shall consist of the following Council members: Councilman **Dawn Blakeney, Chairman**, Council persons Ron Fenn and Don Polyak.

**Section 6:** That the ZONING COMMITTEE for the year 2013 shall consist of the following Council members: Councilman, **Don Polyak, Chairman**, Council persons Glen Blakeney and Ron Fenn.

**Section 7:** That the PLANNING AND ZONING COMMISSION representative of Council for the year 2013 shall be Council person, **Don Polyak**.

**Section 8:** That the ECONOMIC DEVELOPMENT COMMITTEE for the year 2013 shall consist of the following Council members: **Ron Antal, Chairman**, Council persons Frank Baxter and Don Polyak.

**Section 9:** That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in



meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 10:** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and for the further reason this measure is necessary in order to ensure the daily operations of the municipal departments and shall take effect and be in force from and after its passage.

PASSED:

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BILL GONCY, MAYOR

ATTEST

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BETTY KLINGENBERG, FISCAL OFFICER

I, BETTY KLINGENBERG, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Resolution 2013-1-2 was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this 9th day of January, 2013.