

**VILLAGE OF BURBANK  
REGULAR MEETING, FEBRUARY 6, 2020**

Mayor Carolyn Dibler, called the meeting to order at 7:10 PM.

A roll call was taken with the following officials present: Chris Norton, Dennis Rigerman, Ken Dibler, Thomas Lenhoff and David Wilkinson; also in attendance: Allan Michelson – Solicitor, Ben Berger – Zoning Inspector, Gary Harris – Fiscal Officer and resident Cathy Kopp.

Carolyn asked everyone to stand and Pledge Allegiance to the Flag.

**David made a motion to excuse Tracy Lenhoff, seconded by Dennis. 5 ayes, 0 nays**

Minutes – January 16, 2020 Organizational & Regular Meeting

**Dennis made a motion to waive the reading of the submitted January Minutes and to approve the Minutes as submitted, seconded by Ken. 5 ayes, 0 nays**

Committee Reports:

Safety: discussed Sheriff of Wayne County contract matters for voting on during the Regular Session during which Gary advised Council that any cost adjustments to the current cost structure presented to the Village by the Wayne County Sheriff's Office will impact his calculations for affordable hours during the term of any potential 2020 and beyond contract period

Finance, Parks, Streets, Water/Sewer and Zoning – nothing to report

Council Reports:

Safety

Thomas had nothing to report.

- Allan reported that he has prepared a contract for the Wayne County Sheriff's Office (WCSO) that includes insurance, employees of the WCSO and benefits, costs, liabilities and a notice of termination clause, billing and other related subjects should the Village care to move forward in voting on a contract

- Allan did the first reading of Ordinance 2020-02, “an Ordinance approving a contract for Police Services from the Wayne County Sheriff’s Office, March 1, 2020 through December 31, 2020 and declaring the same an emergency”
- **Ken made a motion to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance 2020-02, seconded by Chris. 5 ayes, 0 nays**
- **Ken made a motion to approve Ordinance 2020-02 as an emergency, seconded by David. 5 ayes, 0 nays**
- Cathy asked if something could be done about cars and trucks speeding through the Village now that it is known that the Village currently has no Police presence; Carolyn asked Gary to send a message requesting the Sheriff’s Office to begin traffic monitoring and to also forward the signed contract copies to the WCSO
- Cathy asked if something could be done about the ice on the sidewalk that is on the bridge; Ben offered to apply salt during his trips into the Village
- **David made a motion to appropriate up to \$100 for the purchase of salt, seconded by Ken. 5 ayes, 0 nays**

#### Finance

Ken reporting:

- read the February Paid Bills and the Automatic Deductions amounting to \$19,953.05 – offered the detailed list to anyone wanting to know the specific payments – no requests were made; **Ken made the motion to accept these payments, seconded by David. 5 ayes, 0 nays.**

Gary reporting:

- **Nature Works Grant** – confirmed that on January 30 he issued the PO to Engineering Associates for the engineering & bid package for this project with a goal of the end of March completion but no later than the end of April; confirmed that the plans and specifications must be reviewed and approved by ODNR before bidding can begin; on Monday, February 3<sup>rd</sup> he sent to Allan the Procedural Guide sections that will need to be included in any advertisement to bid as well as the contract that will need to be created between the Village and the ultimate contractor selected to do this work; on Tuesday, February 4<sup>th</sup> he met with Engineering Associates (EA) to review the scope of improvements + adding the security measures to protect the port-a-jon from vandalism and he also gave them copies of the Procedural Guide detailing what they will need to include in the contract bid packages; the next step is obtaining the engineering bid packages for submittal to ODNR for their review and approval; on February 4<sup>th</sup> he sent a note to the Park Chairs about moving all baseball bleachers to the west side of the

field (right field) to allow wheelchair access to the seating sections on the field – David confirmed that he spoke with the Baseball Association and obtained their approval to so move the bleachers; on February 5<sup>th</sup> he distributed a sketch to Park Chairs and EA, including Liberty Fluid Management, showing the pad, the placement of the port-a-jon and the locations for the “protective devices” allowing input from all – he asked if there are any questions or comments about that sketch – none were offered and he did report that Liberty Fluids seems pleased with the efforts that we are making on their behalf; Carolyn asked who will provide the mechanical means to “tie-down” the port-a-jon and Gary stated that he thought this to be the responsibility of the company placing the unit while the Village provides the attachment points and posts ; reported that depending upon the timing of all responses, this project could slip out into 2021– any questions or comments – none were offered

➤ **OPWC Grant (Front Street Storm Sewers & Repaving)** – confirmed that at this point in time, the project is on schedule for having the construction bid packages ready for distribution on March 20<sup>th</sup> – he asked if there were any questions or comments – none were offered

➤ **2019 CDBG Grant (replace sidewalks on Mill Street)** - confirmed that on February 4<sup>th</sup> he received an update from the WCPD advising him that they will be running a public ad on Saturday, Feb. 8<sup>th</sup> allowing 15 days for public comment to the proposed replacement sidewalks on Mill Street; he is hoping that by the end of this 15 days we will also hear that the environmental study is completed which will then allow engineering bids to be released; there is a possibility that this project will move out into 2021– any questions or comments – none were offered

### Parks

Dennis and David reporting:

- ❖ expressed a desire to replace the old style “climber” with a new “health ladder” and to install a “balance beam” with a location yet to be confirmed other than the fact that it will be installed in the current large “bordered” area where the current playground equipment is placed and he would like to use the “Playground Fund” for this project; Gary asked about installation and David confirmed that he and other volunteers will do the installation; David confirmed that he is working on the delivery aspects and is to notify Gary when arrangements are final thus allowing Gary to place the order
- ❖ **David made a motion to appropriate \$2,762.80, from the Playground Fund, to purchase the Health Ladder and Balance Beam, seconded by Ken. 5 ayes, 0 nays**

- ❖ Confirmed looking into purchasing one (1) 8' ADA picnic table at a cost of \$1,328 and working on securing pricing to consider adding two (2) regular picnic tables to replace the two that were worn out and discarded

### Water & Sewer

Dennis and Ken had nothing to report.

### Streets

Chris and David reporting:

- confirmed making seven (7) temporary pot hole patches on Diagonal Road
- confirmed that East and West Middle Streets need edge patching; Gary offered to contact the County Engineering office to see if they can assist the Village with any strip patching
- confirmed that Diagonal Road needs to be widened and that a property owner on Diagonal has diverted water onto Diagonal that is beginning to cause problems
- David will contact Kimble Trash Hauling about replacing the Stop Sign and post damaged by their truck as reported by Bob Reed

### Zoning

Chris and Thomas had nothing to report.

- Ben reported that David Still wants a No Parking sign in front of his property and Ben confirms that he has cited those parking in this area; Chris reported that any No Parking sign, if placed within the right-of-way on Front Street, must meet ODOT standards; Gary was asked to see if we ordered any of these signs and report back to Council
- Ben and Allan confirmed that they will start to put the next step in motion for those parking violators who have been cited as well as the case against 141 Water Street residence and storage shed
- Carolyn asked Gary for an update on the Water Street culvert; Gary reported that he has updated the Director of Wayne County Environmental Services, Mr. Steve Wolfe, with the Villages position on this matter, that being the preference to remove the residence and make this area a "green space" due to the fact that continued flooding is expected around this residence due to its location adjoining a flood hazard area and that Mr. Wolfe agrees that this is the best plan of action in this matter; Gary also

confirms that he advised Mr. Wolfe, who advised the Wayne County Commissioners, that legal action against the Village and County may be forthcoming from the property owner; Mayor Dibler reported that she had an independent realtor look into this property and was told it would market between \$70-78,000 versus the \$200,000 stated by the owner to Allan; Allan stated that he continues looking for funds to clear this property but with no insurance claims ever filed by the owner over the years this is impacting sources of such fund availability; Gary was asked to find out if OPWC would have grant monies available if the Village were to declare eminent domain in this instance

- Gary confirmed that Engineering Associates (EA) sent him an invoice for \$1,430.00 for work done on the engineering calculations and related research for the Culvert on Water Street; Gary stated that he informed EA that they should have called him when they were going to exceed the \$500 PO issued for this work and that he would not agree to pay the full value of this invoice; he asked for **“a motion authorizing the Fiscal Officer to pay a total of \$1,000 for all related engineering work on the Water Street culvert in 2019 and through January 31, 2020, David said so moved for a total of \$704 in addition to the \$296 paid in 2019, seconded by Dennis. 5 ayes, 0 nays**

New Business:

Gary Harris reporting:

- ✓ confirmed the next Council meeting will be Thursday, March 5<sup>th</sup> at 7:00 PM
- ✓ confirmed depositing \$0.00 for November Traffic Fines as a result of Creston cancelling the contract for Police services
- ✓ asked if there were any other updates to the Village Contact List besides the one for Allan and Mayor Dibler advised him to make a change in the e-mail address; no other changes were requested; Cathy asked for a copy so she can post it on the Village Facebook Page
- ✓ confirmed that on Monday, February 3<sup>rd</sup> he transferred all Highway Funds, in the amount of \$22,735.98 from the CD and into the Checking Account and merged these dollars with the portion of Highway Funds that were already in the Checking Account; these monies are being used to pay our Village Matching Funds of \$24,108 on the OPWC Front Street Project and this week he issued a check in the amount of \$14,108 to pay for the completed Field Work and the initiation of the Final Design as part of our Matching Fund liability; he confirmed that there are no remaining Highway Funds in

any investments with this transaction – he asked if there were any questions or comments – none were offered

- ✓ confirmed that in addition to the Policy Levy needing to be on the ballot this year or next we also need to put the Park Fund on the ballot, this year or next, as well as the three (3) General Fund Levies next year or in 2022; Council is considering which if any of the two Levies (Police and Park) should possibly be put on this November's ballot; Allan confirmed that if we do a Spring 2021 Ballot and no other municipality has anything on the ballot, the cost liability to Burbank will be \$850 to \$900
- ✓ Allan reported that the Ohio Attorney General's office offers an "on-line" training session that all "new term" Council members are required to take that addresses the Sunshine Laws of the State of Ohio
- ✓ reminded the Mayor that we need to confirm Village Boundaries for the 2020 Census and have her sign-off so it can be forwarded to the Census Bureau

#### Old Business:

Gary reporting:

- confirmed that the Ohio Manual of Uniform Traffic Control Devices recently requested by Ken was delivered to Ken tonight
- asked about the January 18<sup>th</sup> notice sent to Council members about the Ohio Municipal League's Newly Elected Council Training and if Thomas or anyone on Council wants to attend a session at a cost to the Village of \$75 per attendee; training offered in Independence, OH on April 4<sup>th</sup>; Council to advise Gary at the March meeting
- confirmed that on January 31<sup>st</sup>, as requested, he sent Council the most recent resident listing for Front Street issued by the Wayne County Planning Department; he confirmed that he also just received the revised Income Survey ranges that are now under review by State of Ohio and he also distributed copies to Council; he asked if Council was ready to make a decision on taking a Wage Survey on Front Street and they reported that they are not yet ready to make that decision; he stated that he will continue to ask Council about taking this Survey, as it is our best option to replace the sidewalks on the east side of Front Street, unless Council tells him to "stop" – no such request was made; Cathy asked why both sides of Front Street need to be surveyed and Gary responded that since Front Street, east and west sides, are considered "one neighborhood" the survey must be the entire neighborhood
- reminded Council that any request to consider adding dollars to the 2020 Appropriations must be submitted to him by February 29<sup>th</sup>, otherwise, the Temporary

Appropriations become the Permanent Appropriations for 2020; he reminded Council that we will need no less than 5 Council members present at the March meeting to vote on the 2020 Permanent Appropriations

- Allan confirmed that the Burbank Community Action Group now has clear title to the old firehouse and post office property thus clearing the way for them to sell this property to Roberts Auto Care

Public Participation:

Nothing offered.

**There being no further business to come before Council, Chris made a motion to adjourn at 8:22 PM, seconded by David. Unanimous.**

X

X

Mayor, Carolyn Dibler

Fiscal Officer, Gary Harris