

VILLAGE OF BURBANK
REGULAR MEETING
SEPTEMBER 2, 2014

Acting Mayor Carolyn Dibler called the meeting to order at 7:04 PM.

A roll call was taken with the following officials present: Jason Balyer, Dennis Rigerman, Chris Letzelter and Tracy Lenhoff. Also in attendance: Allan Michelson – Solicitor, Gary Harris – Fiscal Officer; Abby Armbruster with The Daily Record and Village residents Ben Berger, Leo Rowe, Ken Dibler, Tanya Smith-Maynard, and Curtis Toney.

The Mayor asked everyone to stand and Pledge Allegiance to the Flag.

Chris made a motion to excuse Joy Sherwin and Gary Gallion, seconded by Jason. 5 ayes, 0 nays

Minutes – August 5, 2014 Regular Meeting

Jason made a motion to waive the reading of the Minutes as issued, seconded by Dennis. 5 ayes, 0 nays.

Chris made a motion to approve the Minutes as issued, seconded by Tracy. 5 ayes, 0 nays.

Committee Reports:

Streets – Chris discussed the new Traffic Light installation with no update and his proceeding to contact LMRE as Lampion needs more input before they can finalize a cost for this installation; confirmed that a call was made to MB Excavating to obtain an updated Workers Compensation insurance certification.

Parks – Jason and Dennis confirmed the Park dumpster will be picked-up on 9/3/2014 at a cost of \$150 and that Waste Management will use Jason’s name as a point of contact; confirmed that the new account number will be provided to the Fiscal Officer for future reference; discussed the need to lock the Park dumpster to avoid illegal dumping and that one key will also be provided to the Mowing contractor to permit him to empty Park trash receptacles

Safety, Finance, Zoning and Water/Sewer – nothing to report

Council Reports:

Safety

Tracy reporting

- Shared the “Hours Report” issued by the Fiscal Officer with Council that lists enough funds remaining in 2014 to permit 68.7 hours per month from August thru December; also mentioned that beginning in October the Village plans to reduce total hours per week to 10 due to the normal reduction in activity once school begins and any hours remaining as unused will carry over into 2015 as additional monies for use in 2015 for Police services

Officer Brian reporting:

- He will update the monthly report and e-mail it to the Mayor for distribution
- Since last month he had 2 Warrant Arrests, 2 Impounded Vehicles and 1 Felony Traffic Stop for drugs and weapons – charges have been filed
- Reported that he has been approached by several residents with action items
- Carolyn reported that she contacted Captain Hunter of the Wayne County Sheriff’s Department and confirmed that they are the back-up whenever our Creston Police coverage cannot be present

Zoning

Carolyn reporting:

- ✓ Read the Zoning Inspector’s report (copy included) for all those present at this meeting
- ✓ Allan confirmed that the Public Notice has been placed in the Wooster Daily Record for the Public Hearing for Ordinance 2014-08 amending the Burbank Village Zoning Ordinance and Zoning Districts Map and that the meeting will be held on Tuesday, October 14, 2014 at Village Hall beginning at 7:00 PM
- ✓ Allan did the 1st reading of Ordinance 2014-08 amending Ordinance 2004-10 the original Village Zoning Ordinance; the 1st reading of Ordinance 2014-09 a Residential Property Maintenance Code was also read
- ✓ A question was raised by Council pertaining to the ability of the Zoning Inspector to inspect property including going into a residence; Allan read section 102.3 of the Zoning Code that outlines the rights and limitations of the Zoning Inspector and he felt that this section answers all such questions
- ✓ Resident Tanya Smith-Maynard presented her Deed and Legal Property Survey for the property located at 101 S. Front Street to the Village Solicitor, the Mayor and Council for review and approval; the Fiscal Officer asked if there was any cost involved for the Village and the Solicitor stated that there is no cost to the Village for this action
- ✓ **Jason made a motion to approve the new Property Survey, seconded by Chris. 5 ayes, 0 nays**
- ✓ Once approved the Mayor signed the Survey as approved by the Village of Burbank
- ✓ Allan mentioned that Grant monies to assist this resident in demolishing the current structure may be available but he cannot be sure until sometime in October; Carolyn mentioned that LMRE has a People Fund that might be able to assist this resident and suggested that the resident contact LMRE

Parks

Jason and Dennis reporting.

- Spoke with Lisa Johnson with Wayne Community Development and found out that there is an organization that assists with Income Survey's by the name of RECAP for projects on Water & Sewer's; if this does not result in any positive assistance Jason will go back to Lisa to begin collecting address information for conducting the Village Income Survey (all collected information remains confidential and is not shared with Village officials) – plans on reporting the status of these efforts at October's meeting

Streets

Chris reporting:

- ❖ Reported there was a street drain issue on Water Street that he is looking into
- ❖ Allan confirmed that he is now in contact with the parties involved in the Traffic Light accident as he continues his effort to collect some or all of the monies the Village paid to have the traffic light repaired

Finance

Tracy reporting:

- ✓ Read the Bills to be Paid and the Automatic Deductions amounting to \$12,307.62. **Tracy made the motion to pay the bills, seconded by Chris. 5 ayes, 0 nays.**
- ✓ Read Resolution 2014-02 a Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor for the 2015 Budget year
- ✓ **Tracy made a motion to adopt Resolution 2014-02 on an emergency basis, seconded by Jason. 5 ayes, 0 nays**

Water & Sewer

Chris had nothing to report.

New Business:

Gary Harris reporting:

- He deposited \$280 in August for July Court Fines
- Our next Council Meeting is October 14th after the Public Hearing
- He will contact the Zoning Board of Appeals asking if they are planning on having an October Meeting
- Recommended that Council begin soliciting bids for the 2014/2015 Snow Plowing Contract or consider retaining the services of Nev's Landscaping; he further recommended that the contractor be identified and voted on at the October Meeting so the new contract can be in place by November 1st: Chris will contact Nev's to determine if there is any interest in their

wanting to be considered for the new contract as well as what rates will apply; Allan will generate the new contract once he obtains the details from Chris

- Reminded Council that if Joy resigns as Mayor in September or at the next Council Meeting, due to her moving out of the Village, a replacement for her needs to be made on the Village Records Commission; Allan indicated that Carolyn who plans to be appointed Mayor will automatically assume Joy's position with the Records Commission
- Reminded Council of the need for a new President of Council when Carolyn becomes Mayor; Allan indicated that a new President needs to be elected at that time and a replacement Council member will also need to be named replacing Carolyn on Council
- Jason suggested that since Parks did not proceed with purchasing new flowers and a few other additions for the Park that these funds be used trim trees and branches by the bridge; the Fiscal Officer recommended that these costs be absorbed by Streets as they have more funds and this type of work falls under Street Funds; Chris will contact MB Excavating to schedule this work
- Carolyn stated that Burbank Parke offered the use of their facilities for Burbank Village Council to hold future Council Meetings and at no cost to the Village; this will be considered by Council as some Council members stated an interest in visiting the site to check-out the room being considered for the Council Meeting; if Council decides to change locations the Rules of Council will need to be updated with the new address and the Meeting postings will also need to include the new location; November of 2014 would be the earliest that Council would move the location of Council Meetings

Old Business:

Gary Harris reporting:

- ✚ Asked about the status of the PEP Insurance write-ups for the Playground equipment needing repair and/or removal; Park Chairs advised him that this will need to be delayed until 2015 due to limited funds available this year; the Fiscal Officer restated his concern from a liability and cost of premium exposures
- ✚ Asked about obtaining approval on the Resolution for the Solid Waste Management Plan; Allan did the third reading of Resolution 2014-01
- ✚ **Jason made a motion to adopt Resolution 2014-01 for the Solid Waste Management Plan for the Stark-Tuscarawas-Wayne Joint Solid Waste Management District, seconded by Tracy. 5 ayes, 0 nays**

Public Participation:

Nothing offered.

There being no further business to come before council, Carolyn made a motion to adjourn, seconded by Chris at 7:55 PM. Unanimous.