

VILLAGE OF BURBANK
REGULAR MEETING: JULY 14, 2015

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

A roll call was taken with the following officials present: Dennis Rigerman, Chris Letzelter, Tracy Lenhoff and Gary Gallion. Also in attendance: Allan Michelson – Solicitor, Gary Harris – Fiscal Officer; James Brandenburg – Zoning Inspector, Officer Brian Hall, residents Ken & Issac Dibler, Dan Wiley Sr., Denise Bodeheaver, Gerald & Betty Walters, Roxane Walters-Edisi, Leo Rowe along with Bob Morehead from The Post.

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

Minutes – June 23, 2015 Public Hearing and Regular Meeting

Gary made a motion to waive the reading of the Minutes and to approve the Minutes as submitted, seconded by Chris. 4 ayes, 0 nays

Committee Reports:

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

Council Reports:

Safety

Tracy and Gary had nothing to report.

Officer Hall reporting:

- Citations in June were “up” an additional 7 over that of May; he is still waiting to appear in court to testify against two plaintiffs involving drugs and weapons – these are anticipated to take place the end of July and sometime in August; reported that Village activity is slowing down
- Chris confirmed that the platform under the bridge may be removed, where a homeless person was at one time living until the Police became involved, and that the area would be cleaned-up with the use of volunteers

Finance

Tracy and Gary reporting:

- Tracy read the Bills to be Paid and the Automatic Deductions amounting to \$9,878.72. **Tracy made the motion to pay the bills, seconded by Gary. 4 ayes, 0 nays.**
- The Fiscal Officer asked Allan to do the first reading on Resolution 2015-01 (Police) and 2015-02 (Park); Allan did the first reading of both Resolutions declaring it necessary to levy a tax (for Police and Parks) in excess of the ten

mill limitation; this legislation could not proceed as we did not have 5 Council members present that are needed to vote and pass such legislative matters.

- The Fiscal Officer requested if Council does want to form an Audit Committee based on the hand-out he distributed at last month's meeting; he confirmed that this recommendation is not a necessity but that it does allow for immediate release of payments thereby avoiding the potential for any late payments caused by the rescheduling of Council Meetings; Council decided to wait until all of Council is present before deciding on this so as to allow more and complete discussions on this subject

Parks

Dennis had nothing to report.

- Gary confirmed that the Park Community Work Day is scheduled for August 2nd from 10:00 AM - 2:00 PM with a pot-luck dinner also taking place

Water & Sewer

Dennis had nothing to report.

Streets

Chris reporting:

- ❖ Confirmed that the worst of the chuck-holes have been patched and that more would be done during the upcoming week as well as doing some stone work along some of the streets
- ❖ Confirmed that he is using volunteers along with the individual with a court mandate to clean-up debris and cut back growth where necessary

Zoning

Chris had nothing to report.

- ✓ Jim read the Zoning Report; Chris requested that the posts at 31 South Front Street be cut-down and Jim responded that he will take care of this
- ✓ A Zoning matter related to 101 S. Front Street was discussed by Village residents, Council and Zoning; the owner of the property is asking for a variance pertaining to "set-back" along South Street and also wishes to place a manufactured home on this lot; residents voiced concerns about a manufactured home being placed on this property; Zoning requires a minimum structure of 1200 ft² on any property and has the opinion that this sizing requirement will not allow a manufactured home to be placed on this property; Council and Zoning, along with input from Allan, thought it would be helpful to the landowner if they alter the "set-back" requirements for this

property that is on the corner of Front Street and South Street thus making it easier to erect a **structure** on this property

- ✓ **Chris made a motion to allow a variance for a “set- back” on South Street at 20’, versus the current 50’ requirement and a “set-back” of 30’ for the property along Front Street, including any structural attachments, seconded by Tracy. 4 ayes, 0 nays**
- ✓ Allan confirmed that this motion now allows up to a **2963** ft2 **structure** to be built on this property; insofar as the **structure** to be located on this property, Allan and Council agreed that the owner will need to supply more information along with plans, drawings and photos of the intended **structure** before making any decisions related to the **structure**; Allan confirmed that Wayne County will need to inspect and approve any **structure** set on this property to confirm that the structure meets code and permit requirements
- ✓ Allan asked Jim to send a letter to Tanya Smith Maynard informing her of the approved Variance and the need for more information on a proposed **structure** at 101 South Front Street
- ✓ The Fiscal Officer requested that Council define the number of times that the Village is to mow the property located at 121 South Street; Allan confirmed that a lien will be placed against this property which should allow the Village to recover the mowing costs once the property sells
- ✓ **Chris made a motion to mow the property at 121 South Street every two weeks, seconded by Gary. 4 ayes, 0 nays**

New Business:

Gary Harris reporting:

- ✚ Confirmed that our next Council Meeting is *August 4th and expressed the definite need that there must be five Council members present in order to vote on Resolutions 2015-01 and 2015-02 that have a deadline to be delivered to the Board of Elections on August 5th, no later than 4:00 PM; he offered to deliver these documents directly to the Board of Elections the morning of August 5th; ***Gary made a motion to change the meeting date from August 11th (which would have been the next scheduled Council Meeting) to August 4th, seconded by Chris. 4 ayes, 0 nays**
- ✚ Confirmed depositing \$379 for June’s traffic fines
- ✚ Confirmed that he will allow a CD, that matures on 7/18/15, to roll-over and reinvest; the current annual interest rate is 0.50% unless Council does not agree; no one voiced a disagreement with this planned action
- ✚ Jim asked about trimming-up the overgrowth near the culvert on East Middle Street; Chris confirmed that he will take care of this for the portion that is Village responsibility

Old Business:

Gary Harris reporting:

- Requested the current status of the search for a Road Repair Contractor; Chris reported no change in status
- Requested the current status on hot-patch street work; Chris reported that more work needs to be done; Fiscal Officer requested a motion to allow Chris to purchase additional materials
- **Chris made a motion to approve \$350-500 of additional hot patch material, seconded by Dennis. 4 ayes, 0 nays**
- Requested the current status on the Public Works Grant to “chip and seal” Village streets and reminded Streets that this Grant needs to be applied for in September and we will soon be out of time; Chris confirmed that he will contact Public Works to obtain details on needed information that will be included when filing the application for this Grant
- Requested the current status from Parks for obtaining an updated quote to make repairs and the removal of certain playground equipment as documented by our Insurance Carrier; Dennis had no updates; two residents stated that work was started about a week to week-and-a-half ago; the Fiscal Officer stated that we have no contract, no PO, no final price from the contractor and that any and all work must immediately stop as we also have liability exposure; the Fiscal Officer requested the Mayor and/or Council to contact Jason to immediately stop all work; Mayor Dibler agreed to make this contact
- Jim confirmed that he has not heard anything back on being able to post Ordinances/Resolutions at Trinity United Methodist Church; Fiscal Officer asked if Burbank Parke is within Village limits to be considered as a posting site; Allan confirmed that they are; Carolyn agreed to contact Village Parke for permission to post notices; Allan stated that we will update Council Rules once we have confirmation
- Confirmed that he completed his review on allowed public investments and found that our Banks (Wayne Savings and Westfield Bank) are on the Treasurer of States Approved List of Depository Institutions for holding and investing public monies; he also confirmed that our CD’s are earning higher interest rates on our CD’s compared to that of at least one other bank on the approved list and that he considers this research complete unless Council wants additional investigations to be done; no one expressed the need for any additional work on this matter
- Confirmed that he has uploaded the 2012-2014 financial data (funds and payments) into the Treasurer of State’s Ohio Checkbook Program as authorized by Council; confirmed that he has a conference call with the Treasurer of State’s Office on Thursday to review our input in preparation for public access

Public Participation:

- o Dan Wiley stated that he has mowed 118 W. Middle Street 8 times this year and all of last year and that when Bob Reed had done it previously, Bob was compensated by the landowner; Jim agreed to send a letter to the landowner, and with Dan's approval received, he will include Dan's contact information allowing the conversation to begin between Dan and the owner
- o Dan reported pot holes needing repair west of 123 W. Middle Street; Chris confirmed that he will take care of this

There being no further business to come before Council, Chris made a motion to adjourn at 8:25 PM, seconded by Gary. unanimous.

X

Mayor, Carolyn Dibler

X

Fiscal Officer, Gary Harris