

**VILLAGE OF BURBANK**  
REGULAR MEETING: FEBRUARY 4, 2016

Mayor Carolyn Dibler called the meeting to order at 7:04 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, Jim Brandenburg - Zoning Inspector; visitors Brant Juhasz with A New Leaf Tree Service, Terry Thompson with Republic Services, Jeff Boylan with C. Martin Trucking, Scott Walker with Kimble, Stephen Dunlap with Waste Management, Jim Brannam with Brannam & Associates, Bryon Meshew with Creston Police, Patty Murphy with Norwayne Elementary School, Michael Schweickart with TMS Engineers; residents Ken Dibler, Joe Duplaga, Leo Rowe, Dave Still and Jonathan Scholles with The Daily Record.

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

**Gary made a motion to excuse Ben Berger, seconded by Tracy. 4 Ayes, 0 Nays**

No motion was offered to excuse Jason Balyer from attending this meeting.

Minutes - January 7, 2016 Organization & Regular Meeting

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

Committee Reports:

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

Norwayne Elementary School - Donation to Burbank:

Teacher Patty Murphy with Norwayne Elementary School, along with Peyton Roper, a 4<sup>th</sup> grade student, and Lane Duplaga, a 5<sup>th</sup> grade student, made a donation to the Village of Burbank from monies collected through a school fund drive called "Make a Change for Christmas" in the amount of \$150 for use in the Village Park. The check was presented to Mayor Dibler who thanked them for the donation as also acknowledged by all in attendance

Trash Hauling New Contract Review:

Allan opened the four sealed bids received from the four waste hauling companies, present at our meeting, for the new waste hauling contract that takes affect 2/29/2016. Allen read the cost related sections of each bid and passed them over to Council for their further review. Questions were asked by Council of each

representative with discussion between all Council members. After some time and having reached agreement, Council selected the winning bid.

**Chris made a motion to accept the bid from Kimble for a three year contract (with rates in year one of \$13.63, year two \$14.04 and year three #14.46), seconded by Dennis. 4 ayes, 0 nays**

Traffic Light Pole – Grant Engineering Review:

The Fiscal Officer (FO) then reviewed his receipt of a letter from ODOT with 27 action items related to the engineering submittal made by TMS Engineers for the Traffic Light Pole under the Block Grant award. The FO then stated that he contacted Wayne County Planning Department asking for their feedback on items 1 and 21. Mike Schweickart then confirmed that his company contacted ODOT and, after reviewing with them the specifics involved, was advised that ODOT removed items 5, 13-18, 23 and 26. Mike confirmed that items 4, 6, 7, 9-12, 22 and 24-25 have been corrected/revised on their plans and specifications and that items 3, 8, 19, 20 and 27 are under review for reconsideration by ODOT. The FO then asked about the one remaining open item 2 and Mike advised him that the pole appears to be remaining on the southeast corner as originally submitted based on his discussion with ODOT.

A discussion then took place between the property owner David Still, our Zoning Inspector, Council and Allan. After some time for these discussions it was agreed by all parties to work towards the goal of obtaining the signed easement by Friday, February 12<sup>th</sup> with some considerations by Council in issuing a zoning variance allowing the property to display a “business sign” along with some further negotiations between Allan and Mr. Still.

Council Reports:

Safety

Tracy and Gary had nothing to report:

- Chief Meshew reviewed the status of the Creston Police Department staffing which has impacted coverage in Burbank since the 4<sup>th</sup> quarter of 2015; he confirmed hiring additional officers and believes this will improve the coverage for Burbank; confirmed that Creston is involved in nearly all dispatch calls that are released from the central dispatch site in Wooster even when original calls are answered by the Wayne County Sherriff’s department; confirmed that he will issue the schedule for coverage to the Mayor
- Zoning Inspector spoke about challenges in working with residents and Creston Police in issuing citations on “junk vehicles” in the Village and getting

them removed; Chief Meshew confirmed that they cannot issue a citation on private property; Allan stated that the Village would need to change the Zoning Ordinance if the Village wanted the ability to ultimately tow vehicles within the Village that violate the Zoning Ordinance

#### Snow Plowing & Salting Contract Consideration/Review:

Brant Juhasz reviewed his sole proprietor business and his desire to get into the snow removal business in addition to his primary business which is a tree service contractor; he also reviewed his costs to the Village to perform snow plowing and salting at rates of \$95 per hour and \$165 per application accordingly

**Gary made a motion to approve the snow plowing and salting contract with New Leaf Tree Service at the rates discussed, seconded by Chris. 4 ayes, 0 nays**

#### Parks

Dennis reporting:

- ✚ Confirmed that he is working on making some of the small repairs listed in the PEP Insurance documentation; confirmed that he completed moving the sling swings and bucket swings and that the hardware for the swing seats will be in compliance by the weekend; confirmed that he is still working on the flexible bridge supports as he continues trying to obtain replacement parts
- ✚ Jim Brannam offered a plan to correct the structures that remain since removing the slides; Jim and Dennis confirmed that they will investigate his proposal with PEP to make certain that his plan is acceptable to our insurance carrier
- ✚ Jim spoke further about the safety ground cover issue and the Insurance stipulation that it be placed under all playground equipment; a discussion took place between Jim, Council, the Fiscal Officer and Allan on this matter; it was finally agreed that upgrades would be completed, in line with the PEP specifications; the Fiscal Officer recommended to Council that if Brannam & Associates was going to do this work that a written quote be obtained from them that specifically states that all work will be in full compliance with PEP specifications and that the Village consider obtaining other bids so as to obtain the most competitive pricing on the remaining work; Fiscal Officer requested the Mayor to sign the "PEP - Statement of Action Taken Form" that was due last month and the form was signed for transmitting to PEP

#### Finance

Tracy and Gary reporting:

- Gary read the Paid Bills and the Automatic Deductions amounting to \$2,816.02. **Gary made the motion to accept these payments, seconded by Dennis. 4 ayes, 0 nays.**

Gary Harris reporting:

- Confirmed that in the last 30 days we had 7 visitors to our Ohio Checkbook website, 4 = returning visitors and 3 = new visitors with 0 inquiries from any visitors
- Decided to not report on the 2015 Financial Summary nor the 2015/2016 Budget comparisons due to the late hour and confirmed that this will be reported at next month's meeting
- Distributed the February 2016 Temporary to Permanent Appropriations Review data sheet along with the Appropriation Worksheets to each Chair Person with a full set given to the Mayor; confirmed the need to have each Councilmember review the Temporary Appropriations to determine if they need to increase any appropriation with the "estimated" additional monies available if needed in 2016; confirmed his availability to meet with any Councilmember at Village Hall or on the phone to review any budget item; confirmed the need to have all changes into the Fiscal Officer in time so as to be able to present to Council the Ordinance for Final Appropriations at the March 3<sup>rd</sup> meeting; asked if there were any questions or need to review any of the handouts including the handout of the 2016 Available (Financial) Resources that was also distributed to Council - no questions were raised nor was the need for any further discussion raised by Council

#### Water & Sewer

Dennis had nothing to report.

#### Streets

Gary had nothing to report.

#### Zoning

Chris had nothing to report.

Jim Brandenburg reporting:

- o Distributed the Zoning Report
- o Confirmed delaying the taking of any action for the demolition of the garage at 121 South Street; Allan confirmed that this property is on a Sherriff Sale due to delinquent taxes and that the new owner, if it sells, will be responsible for demolishing this structure

#### New Business:

Gary Harris reporting:

- ✚ Confirmed the next Council meeting will be Thursday, March 3rd
- ✚ Confirmed depositing \$60.00 for December Traffic Fines
- ✚ Requested if anyone on Council needed Corrected W2's due to the SD Code error on their W2's as originally issued; all those present wanted new W2's so the Fiscal Officer advised he will obtain the forms from the IRS and issue corrected W2's to all Councilmembers
- ✚ Allan reported that since Council has not excused Jason Balyer for missed meetings the last two months, Council has to decide if they are going to "declare his seat as vacant"; if so, he will need to send a notice to Jason giving him the opportunity to present his position to Council
- ✚ **Chris made a motion to advise Jason of the intent of Council to vacate his Council seat and offering him the opportunity to be heard, seconded by Tracy. 4 ayes, 0 nays**
- ✚ Tracy advised Council that she received a notice from the Board of Elections looking for the Village of Burbank's Disaster Plan; Allan stated that he never heard of this before and that he will contact the Board of Elections to see what this is all about

Old Business:

Gary Harris had nothing to report:

Public Participation:

Nothing offered.

**There being no further business to come before Council, Gary made a motion to adjourn at 10:12 PM, seconded by Tracy. Unanimous.**

X

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Mayor, Carolyn Dibler

X

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Fiscal Officer, Gary Harris