

**VILLAGE OF BURBANK  
REGULAR MEETING, JULY 2, 2020**

**NOTE - DUE TO COVID-19, THIS MEETING WAS HELD VIA TELECONFERENCE THROUGH  
FREECONFERENCECALLHD.COM**

Mayor Carolyn Dibler, called the meeting to order at 8:02 PM.

A roll call was taken with the following officials present: Chris Norton (joined at 8:03 PM), Dennis Rigerman, Ken Dibler, Thomas Lenhoff and David Wilkinson; also in attendance: Allan Michelson – Solicitor, Gary Harris – Fiscal Officer and resident Mary Yost.

Minutes – June 4, 2020 Regular Meeting

**Dennis announced himself and made a motion to waive the reading of the submitted June Minutes and to approve the Minutes as submitted, seconded by David who announced himself. Roll-call vote; Dennis – aye, Ken – aye, Thomas – aye, David –aye.**

Special Meeting Minutes – June 15, 2020

**Dennis announced himself and made a motion to waive the reading of the submitted Special Meeting Minutes and to approve the Minutes as submitted, seconded by Chris who announced himself. Roll-call vote; Chris – aye, Dennis – aye, Ken – aye, Thomas – aye, David –aye.**

Mayor Dibler invited Mary Yost to address Council regarding her property at 133 Water Street; Mary stated that the permanent fix for the culvert causing her foundation erosion and shifting problem would cost the Village \$170,000 and she is asking \$130,000 which is negotiable; she reported that her mother passed away in 2019 and that her father has health issues that do not permit him to remain in the house and therefore she would like to close a deal on this property as soon as possible to assist making the necessary arrangements for her father's care; Allan reviewed the steps taken thus far by the Village in an effort to locate Grant monies to purchase this property and the Village's most recent effort with Mr. Villegas, Director of the Wayne County Emergency Management Agency at the end of May; Allan confirmed that no current Grants are available and that possible Grants that may become available in the future may require the Village to provide 25% of Matching Funds – he asked Gary if the Village can afford to purchase the property outright

and Gary responded “no” as it would nearly deplete all Village reserves and possibly put the Village in a position where we could not afford to meet our operating expenses; Allan reviewed the fact that the culvert became part of the Village Wastewater Treatment Plant project installed by Wayne County with no Village government direct involvement once the project was underway; Mary stated that her father had tried to get them, at the time the culvert was being installed, to install three (3) more sections of duct to extend the discharge of the culvert away from the home and her father even offered to pay for this duct but was told no as it is not in the plans, specifications or contract; Chris asked who said “no” and Mary reported that it was the contractor; Gary asked if the contractor stated that he would take this request back to Wayne County and Mary said not to her knowledge; Allan stated that we sympathize with her situation but the Village simply cannot spend this amount of money and we don’t know what else we can do at this point in time; Mary asked if the Village could seek reimbursement from Wayne County and Allan responded no, but her attorney could. Mary thanked Council for being allowed to present her case to Council and indicated that she will contact her attorney to have him contact Wayne County as the next step; Allan offered that she has her attorney contact him and he can provide the attorney with more history on this matter

#### Council Reports:

##### Safety

Ken and Thomas reporting:

- read the May and June Sheriff Reports

##### Finance

Ken reporting:

- read the July Paid Bills and the Automatic Deductions amounting to \$6,865.07; **Ken announced himself and made the motion to accept these payments, seconded by Dennis who announced himself. Roll-call vote; Chris – aye, Dennis – aye, Ken – aye, Thomas – aye, David –aye.**

Gary reporting:

- **Nature Works Grant** – confirmed that with Council’s approval of the Ordinance accepting the bid from T.R. Snyder Construction at the Special Meeting held on June 15<sup>th</sup>, we proceeded to conduct the Pre-Construction Meeting on June 23<sup>rd</sup> and a tentative start date was targeted for mid-July; due to good weather the contractor finished his other project ahead of schedule and was able to start

construction on July 2<sup>nd</sup> with an anticipated completion by the first week in August; on July 2<sup>nd</sup> the Contractor requested that the Park remain locked while work is underway and he OK'd that, knowing the risks to visitors with so many trip hazards caused by markings and possible heavy equipment; Mayor Dibler asked that he contact Cathy Kopp to get the Park closure notice onto the Village Facebook page and he confirmed that he would do so – he asked if there were any questions or comments – none were offered

- **OPWC Grant Application (Front Street Storm Sewers & Repaving)** – confirmed that funding for this project is not yet released, S.B. 4 is awaiting the Governor's signature and as of today, no signature has taken place; Detour of SR 83 has started and increased traffic on East Middle Street is likely to happen, per discussions that he has had with ODOT they will return this street to its condition once SR 83 reopens, we are squandering away free money by not getting the potholes repaired on East Middle Street as they offered to bring the street back to its repaired condition if we get it done - David reported that he has been unsuccessful in being able to contact the contractor and that he will try again tomorrow; Dennis raised concerns about increased traffic on Diagonal Road, especially truck traffic; Gary stated that he will contact ODOT to ask them to include Diagonal as one of the streets that ODOT will return to its present condition once the Detour is no longer in place; Gary reemphasized the need to get all pothole repairs completed as soon as possible – he asked if there were any questions or comments – none were offered
- **2019 CDBG Grant Application** – confirmed that funding for this project (new sidewalks on Mill Street) have now been approved by the Governor signing H.B. 481, WCPD is now going out for engineering bids and once those are obtained they will select the engineer and proceed with design drawings in preparation for going out for construction bids; no other timing details are available at this time – he asked if there were any questions or comments – none were offered
- **2020 Revenues & COVID-19** - confirmed that on July 2<sup>nd</sup> he updated Council on the June Revenue and Spending Comparisons not yet showing any significant COVID-19 impacts to the budget at this time; confirmed that he did not expect to see any impacts until sometime in the 3<sup>rd</sup> Quarter of 2020 – he asked if there were any other questions or comments – none were offered
- **Front Street Income Survey** – reported that since the State has announced that no Grant applications for this year are as of yet being allowed to take place, due to COVID-19 impacts, there is no need to conduct a Wage Survey
- **2021 Budget** – confirmed that he delivered 2021 Budget documents to Village Hall on May 28<sup>th</sup> for Council's review; no questions or adjustments to the Budget have been requested as of today, he asked if there are there any changes to be requested – no changes were offered; reported that due to an error on his part,

he did not get the advertisement for the Budget Public Hearing published in time for this to happen tonight and now it is scheduled for July 16<sup>th</sup> he asked Allan if we need a full Council present (via teleconference) while he is at Village Hall waiting for anyone of our residents to come in to talk about the Budget and that he will be at Village Hall from 7:00-8:00 PM in case anyone arrives – Allan responded that there is no need for Council to convene so long as they pass a motion tonight authorizing the budget to be submitted to the Wayne County Auditor at the conclusion of the Public Hearing; Gary asked if he could **have a motion authorizing the Fiscal Officer to release the 2021 Budget to the Auditor’s office pending the completion of the Public Hearing for the Budget scheduled for July 16<sup>th</sup>, Ken announced himself and stated so moved, seconded by David who announced himself. Roll-call Vote – Chris, aye, Dennis – aye, Ken – aye, Thomas – aye, David –aye.**

**David announced himself and made a motion to excuse Ben Berger, seconded by Dennis who announced himself. Roll-call vote; Chris – aye, Dennis – aye, Ken – aye, Thomas – aye, David –aye.**

#### Parks

Dennis and David reporting:

- ❖ reported the intention to re-drive the playground “border pins” due to impacts caused by freezing and thawing
- ❖ Mayor Dibler thanked David for the great job he did in installing the new playground equipment and that several residents thought it was a great job that he did

#### Water & Sewer

Dennis and Ken had nothing to report.

#### Streets

Chris and David reporting:

- Dennis reported that the Stop sign at the intersection of Mill Street and East Middle Street is missing; Gary asked Allan what is the Village liability with any missing Stop sign and Allan reported that it is huge in the event that someone does not stop and a traffic accident should result – the Village would be liable in any lawsuit filed; Gary stated that Council has heard how serious this is and how all missing stop signs need to get reinstalled including the one at the intersection of Mill and Water Streets – David stated that he will look for brackets and get the signs installed – Gary stated that if he

needs assistance, we can obtain a bid from the contractor that Cathy Kopp referred us to a few years back – David said no help is needed

### Zoning

Thomas had nothing to report.

- Gary reported that he has not yet ordered the four (4) No Thru Truck signs authorized by Council last month and that he will proceed to get them ordered right away

### New Business:

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, August 6<sup>th</sup> at the new time of 8:00 PM
- ✓ confirmed depositing \$15.00 for May Traffic Fines
- ✓ confirmed that he will drop off documents at Village Hall that need signatures tomorrow, he will leave the June Regular and Special Meeting Minutes for Mayor Dibler to sign and the June Financial Reports for Council members to sign
- ✓ offered to process a new PEP Grant Application for \$1,000 if Council can determine any safety issues that may qualify; Ken suggested adding mulch to the playground and Gary stated that he will ask PEP if this qualifies and if so he will contact Frank Brothers who provided mulch last time; he asked for **a motion authorizing the Fiscal Officer to apply for a PEP Grant in the amount of \$1,000 for playground mulch, David announced himself and said so moved, seconded by Dennis who announced himself. Roll-call Vote – Chris, aye, Dennis – aye, Ken – aye, Thomas – aye, David – aye.**
- ✓ asked Council about a permanent location to place the dumpster that had been in the Park to avoid tearing up the new driveway and parking lot, once they are completed with new asphalt; Council suggested where the shrub line is on the west side of the Village Hall parking lot – Gary said he will investigate property lines to see if this is possible

### Old Business:

Gary reporting:

- ✚ Allan reported that he received a letter from the Wayne County Prosecutor's Office asking if the Village wanted to seek reimbursement from the vandals and the damage they did in the Park; Council suggested we use them to spread the mulch

that we will purchase once a PEP Grant is awarded; Allan reminded Council that the Village will need to provide supervision and equipment – Chris, Ken and David thought this a good idea and supervision should be possible since some Council members offered to volunteer to do the work – Allan stated that he will contact the Probation Department to line this up

- ✚ expressed his concern at leaving the Park gate unlocked at night as he feels that this is, unfortunately, inviting problems with vandalism which then leads to added costs for the Village that are near totally avoidable; Council stated that they can still walk down into the Park if they want to cause any damage – Gary responded with his opinion that having to walk into the Park would deter some from entering the Park and if they can drive into the Park they can more easily steal items or take “things” in the vehicle to cause damage and are able to more quickly depart – he recommended dusk to dawn closing of the Park; Mayor Dibler said with construction going on in the Park and with the gate locked for that reason, we will readdress this next month
- ✚ asked if Council wanted to begin using Zoom Meetings for all future Council Meetings; a discussion took place and all Council members agreed to begin conducting Zoom Meetings starting with the August Council Meeting and Gary is to notify Cathy so she can put this onto the Village Facebook page and he will also include the instructions on postings in the Village as well as the newspaper for Public Meeting Notices

**There being no further business to come before Council, Dennis announced himself and made a motion to adjourn at 9:18 PM, seconded by David who announced himself. Roll-call vote; Chris – aye, Dennis – aye, Ken – aye, Thomas – aye, David –aye.**

X

X

Mayor, Carolyn Dibler

Fiscal Officer, Gary Harris