

VILLAGE OF BURBANK
REGULAR MEETING: JULY 19, 2017

Mayor Dibler called the meeting to order at 7:09 PM.

A roll call was taken with the following officials present: Chris Norton (arrived at 7:25 PM), Dennis Rigerman, Gary Gallion, Chris Letzelter and Tracy Lenhoff. Also in attendance: Allan Michelson - Solicitor; Gary Harris - Fiscal Officer.

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

Gary made a motion to excuse Lori Menk, seconded by Dennis. 4 Ayes, 0 Nays

Minutes - June 1, 2017 Public Hearing/Regular Meeting

Gary made a motion to waive the reading of the Public Hearing/Regular Minutes and to approve the Minutes as submitted, seconded by Dennis. 4 ayes, 0 nays

Committee Reports:

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

Council Reports:

Safety

Chris and Tracy reporting:

- Reported that pot holes in front of the Mayor's house at the corner of SR 83 and Water Street and at the intersection of SR 83 and East Middle are becoming a safety hazard
- **Chris made a motion to authorize purchasing up to \$250 in stone to temporarily patch these intersections, seconded by Gary. 4 ayes, 0 nays**
- Reported that we are missing a street sign on Henrietta as well as a One Way sign on Henrietta

Finance

Gary and Tracy reporting:

- Tracy read the Paid Bills and the Automatic Deductions amounting to \$22,865.03. **Tracy made the motion to accept these payments, seconded by Chris. 4 ayes, 0 nays.**

Gary Harris reporting:

- Requested a motion to authorize payment of the Contractor advertising costs; **Chris made a Motion to approve the advertising charges up to \$450 for the Water Street Construction Bid advertisement, seconded by Gary. 4 ayes. 0 nays**
- Provided the Water Street OPWC Grant Update – the Village has received the Project Grant Agreement from the Ohio Public Works Commission in the amount of \$234,000 – any questions, comments or points of discussion – none were offered; Fiscal Officer requested a motion allowing the signing of the Grant Agreement
- **Norton made a motion authorizing the Mayor to sign the Grant Agreement as well as the Request to Proceed forms for the Village and Engineering Associates and Disbursement Request #1 to reimburse the Village \$13,050 for prepaid engineering expenses and \$8,550 to Engineering Associates as final payment on the design engineering , seconded by Gary. 5 ayes, 0 nays**
- Confirmed that tomorrow morning he is mailing the signed Project Grant Agreement along with the Request to Proceed Forms and the 1st Disbursement Form to the OPWC
- Confirmed that the Village placed our advertisement for Contractor bids on this project and that they ran on June 28th and July 5th; the Village is scheduled to receive and open bids on July 26th at 1:00 PM at Village Hall at which time Engineering Associates will generate the bid comparison sheet along with their recommendation as to which contractor should be awarded the contract with the goal of construction completion by year end 2017 – any questions or comments – none were offered
- Allan confirmed the need to issue an Ordinance accepting the final bid and allowing a Purchase Order to be issued which he will make available at the August Council Meeting
- Confirmed that the Construction Plans and Specifications and Project Manual for the Water Street Project were made available to Village government officials from June 12th through June 26th, that no feedback was received so he released the Plans and Specifications as submitted for review on June 26th to the engineer for release to prospective bidders; confirmed that a copy of these documents will remain at Village Hall until bid opening on July 26th and that they will be made available for prospective bidders to review as well as anyone else desiring to review these documents at Village Hall – any questions or comments – a concern was raised by Chris pertaining to one of the catch basins and the Fiscal Officer stated that he would investigate this matter with the engineer
- Updated Council on the 2017 CDBG Grant Application – no change as we are still waiting for notification from WCPD on which sub-divisions have been awarded 2017 Grants; we can expect to hear back on this in September or October; due to a change in “instructions” issued to WCPD by the State of Ohio we had to resubmit a revised letter on Burbank’s financial commitment inserting specific values for the total project cost, anticipated Grant award amount and potential exposure for the Village of Burbank, copies are available if anyone wants to review these changes and/or review for the need of additional discussion - although the monies listed are higher than what we are going to pay we still had to list the

higher monies since they are part of the bid from Engineering Associates that included components that we will not use i.e. construction oversight - any questions or comments - none were offered; he requested a motion accepting the revised letter sent to the WCPD

- **Gary made a motion that the Village of Burbank will pay for any costs above and beyond the Grant amount for the Depot and Middle Streets Sidewalk Project as revised by the Fiscal Officer, seconded by Tracy. 5 ayes, 0 nays**
- Reviewed the plan to file an OPWC 2017 Grant Application in time to meet the September 18th deadline covering Henrietta and Hower Streets with a revised amount of \$353,600 (was \$265,000 which increased due to the engineer not having included the storm sewers on Hower when first quoting this work) unless Council does not want him to proceed or if Council wants to change the streets we are applying for funds to repair; he did recommend that the Village file for an OPWC “0%” interest loan to cover the Village matching funds and he distributed a spreadsheet covering Grant Options and Estimated Liabilities which he did review with Council; he stated that if Council wants to move forward with the Grant application Council needs to make the decision as to which street or streets we do as well as the level of contribution/loan we want to make; he addressed a concern raised last month by resident Ken Dibler about making the payments of multiple loans covering the other streets and storm sewers yet to be completed in the Village - the Fiscal Officer stated that he investigated this concern and believes that he has found a way to cover these loan costs and possibly another 2 Grants without drawing from Village Funds; he recommended that we re-establish the Traffic Fine revenue account in the General Fund, which is where it was previously located, for use in paying any Grant loan payments (realizing that we have no annual guarantee as to how much revenue will be collected from traffic fines) but, for example what we have collected in fines thru May in 2017 amounts to \$2,699.50 which would have more than covered our 2017 OPWC Grant Application (if awarded) for Henrietta and Hower Street and with 7 more months to collect fines in 2017 these revenues can be applied to repaying any loans that we are awarded; he did say that Traffic Fine monies already deposited into the Police Fund CANNOT be moved into the General Fund, but we could start with the June fines into the General Fund if Council OK’s this idea - questions or comments - none were offered
- **Chris made a motion authorizing the Fiscal Officer to re-establish the Traffic Fine revenue account in the General Fund effective June 1, 2017, seconded by Tracy. 5 ayes, 0 nays**
- **Chris made a motion to authorize the Fiscal Officer to proceed to file an OPWC Grant Application covering Henrietta and Hower Streets in the amount of \$353,600 and to include a loan request, for the Village Matching Fund portion for 15% of the contract value, seconded by Gary. 5 ayes, 0 nays**
- Allan did the second reading of Ordinance 2017-05 “An Ordinance Approving Amending the Certificate of Estimated Resources and Declaring Same as an Emergency”

- **Norton made a motion to waive the third reading of Ordinance 2017-05, seconded by Tracy. 5 ayes, 0 nays**
- **Norton made a motion to adopt Ordinance 2017-05 as an emergency, seconded by Gary. 5 ayes, 0 nays**
- Asked if anyone on Council had any specific or general questions from the Audit Report sent to Council on June 29th - none were offered; confirmed that the Village needed to sign two documents for the Auditor's Office and asked for a motion on this matter
- **Chris made a motion to accept the Auditor's Report and to authorize the Fiscal Officer and Council President to sign the Representation Letter and the Post Audit Waiver Form, seconded by Dennis. 5 ayes, 0 nays**
- Allan did an update on the delinquent property taxes and reported that the County Prosecutor's Office is in payment negotiations with one of the homeowners and tax foreclosures have been filed on the other two delinquent properties that are being pursued

Parks

Dennis reporting:

- ✚ Confirmed that the panels needed to cover the opening of the removed slides have been installed
- ✚ Confirmed that he is still looking for a way to make parts for the monkey bars since replacement parts are no longer available due to the age of the unit
- ✚ Confirmed that the repairs for the Park Tables and Benches have been completed
- ✚ Carolyn confirmed that Jim did not contact her to have her son's assist with the Park Message Board installation

Water & Sewer

Dennis had nothing to report.

Streets

Gary and Norton reporting

- ❖ Confirmed that the temporary repairs on Henrietta Street have been completed

Zoning

Chris and Norton had nothing to report.

- o Allan distributed the Zoning report
- o Council reported that trash has been piled up in front of a house on Front Street that was recently vacated - Carolyn to contact Jim on this matter
- o The past owner of 121 South Street is asking permission to return to the home to remove some personal items; the Mayor is going to contact Chief

Mesheu to bring in drug sniffing dogs to make certain that no drugs are on this property as a safety measure; Allan confirmed that, per the Police, no drug manufacturing was indicated to have taken place on this property in the residence

New Business:

Gary Harris reporting:

- ✓ Confirmed that our next Council Meeting is Thursday, August 3, 2017
- ✓ Confirmed depositing \$767.00 for June Traffic Fines
- ✓ Proposed making an addition to Council Rules as a result of the just completed Audit and one of the "Verbal Comments" made by the Auditor, he proposes adding a section to Council Rules under section A. 11 to read as follows:

"The Fiscal Officer will date stamp all receipts on the work day (excluding weekends and holidays) that such receipts are received by the Fiscal Officer and all such receipts will be deposited and/or posted no later than 3 days after receiving the receipt. In the event that a receipt is received by the Fiscal Officer on a weekend or holiday, the receipt will be date stamped for the first business day following the weekend and/or holiday involved. In the event that a receipt is received while the Fiscal Officer is on Vacation or ill, the receipt will be date stamped the first business day upon his return."

Fiscal Officer asked if there were any questions or comments - none were offered

- ✓ **Chris made a motion authorizing the proposed additional language to Council Rules, Section A. 11 pertaining to the processing of receipts by the Fiscal Officer, seconded by Gary. 5 ayes, 0 nays**
- ✓ Confirmed that we have a third quote to remove the Dead trees in Park behind Village Hall - the newest bid is the lowest at \$2500 to cut and remove 10 trees (AJ Tree Service, LLC; does Council want to approve the removal of these 10 trees - any questions or comments - none were offered; asked Council for a motion to authorize the release of a PO or Contract to cut and remove these trees
- ✓ **Norton made a motion to authorize the release of a PO or Contract to cut and remove the 10 identified trees in the Park at a cost of \$2,500 with AJ Tree Service, seconded by Chris. 5 ayes, 0 nays**
- ✓ Confirmed that we had a CD mature on July 17, 2017 for Streets/Hwy/Perm and that he reinvested based on the current interest rate of 0.35%

- ✓ Confirmed that he has a quote from Jimmy's Lawn Care for \$30 to clear out the debris from the drain on the east side of the park - any questions or comments - none were offered
- ✓ Confirmed that Jimmy's Lawn Care quoted \$5 per mow to cut and trim around Village Hall and that he would like a motion to be able to proceed to issue a PO for both items reported herein
- ✓ **Chris made a motion authorizing a PO in the amount of \$30 to clean out the drain located on the east side of the Park and \$5 per mow to cut/trim around Village Hall, seconded by Dennis. 5 ayes, 0 nays**
- ✓ Carolyn reported that when she contacted Kimble Trash Hauling for a second trash receptacle she was advised that there would be a charge for this; Allan will research this and report back to Council
- ✓ Carolyn reminded Council that Kimble's agreed to a free dumpster for Village clean-up day and that the Village should take advantage of this free service for the Village

Old Business:

Gary Harris reporting

- Asked Council how they want to proceed with disposing of the old Fiscal Officer Computer and Bob Reed's old printer
- **Norton made a motion to donate the old Village Fiscal Officer's Computer, Monitor and keyboard to Faith United Methodist Church, seconded by Dennis. 4 ayes, 1 abstain, 0 nays**
- **Tracy made a motion to dispose of the old printer, seconded by Dennis. 5 ayes, 0 nays**
- Confirmed that he is waiting for clarification from Chief Meshew on how to proceed with the Vests for Creston - he offered two options in his last email to him, dated June 28th, with no response yet; also Council will need to decide who retains the vests if Burbank ever changes police coverage - the Chief wants them to stay in Creston no matter what, and the Fiscal Officer stated that since Burbank purchased them they need to come back to Burbank if we ever change police coverage - questions or comments - Council's decision was to donate the vests to Creston
- Asked Parks/Council if they have decided if they want Jimmy's to weed spray the School Park for a cost of \$120; Council decided to table this issue for now
- Reminded Park's that they have \$2,981.13 in the Playground Equipment Fund if they want to use this towards purchasing new Monkey Bars for the Park
- Requested the decision by the Street Chairs on replacing Stop sign at Henrietta and E. Middle Streets & if street signs are going to be replaced for Henrietta and Water Streets; Streets confirmed that they have the stop sign and that they will replace it very soon and once Chris gives them the street signs they will re-install those as well
- Confirmed that the Village has spent \$2,382.56 in sewer fees with more charges coming until we "plug" the line at 121 S. Street; there were

several offers to get this done but to no avail; requested a motion to allow Purchasing to move on this issue

- **Chris made a motion to authorize the Purchasing Administrator to obtain a bid or bids and to proceed to cap this line at 121 S. Street with an allowed cost of up to \$750 (Council first approved up to \$500 in July of 2016), seconded by Tracy. 5 ayes, 0 nays**

Public Participation:

Nothing offered.

There being no further business to come before Council, Chris made a motion to adjourn at 8:52 PM, seconded by Gary. Unanimous.

X

Mayor, Carolyn Dibler

X

Fiscal Officer, Gary Harris