

**VILLAGE OF BURBANK  
REGULAR MEETING, SEPTEMBER 2, 2021**

Mayor David Wilkinson, called the meeting to order at 8:01 PM.

A roll call was taken with the following officials present: Chris Norton, Dennis Rigerman, Ken Dibler, Danual Priebe, Thomas Lenhoff, Marti McCord; also, in attendance: Allan Michelson - Solicitor, Gary Harris - Fiscal Officer and visitors Cathy Kopp, Mark Buckingham, Terry Moore, Dan Wiley Sr., Ted Short.

Mayor Wilkinson welcomed our guests.

Mayor Wilkinson invited Mr. Ted Short, V.P. Rails to Trails, to address Council. Mr. Short stated that he started this program back in 2002/2003 all supported by donations. A Grant issued by ODOT valued at \$2.5 million dollars allowed Rails to Trails to acquire the properties that were not donated and build the paved trail from Creston to Rittman. The goal is to continue with the trail from Creston through Burbank and ending up in West Salem with the same quality of paved trail as exists from Creston to Rittman. All necessary properties have been acquired with the exception of two that he continues to negotiate with the property owners. The section through Burbank will be on property owned by Wayne County who is in support of this program. At this time, the primary focus for his organization is the trail construction from Orrville to Marshallville which they hope to have completed by the end of this year and the new trail passing through Burbank will be the next focus. Ted asked the Village to assist him by having our officials talk with the Wayne County Commissioners in support of a "Funded" Wayne County Park District, which, at this time is not "funded" - Ken asked Ted if there is a time frame to complete the trail between Creston and Burbank and Ted responded "not at this time" - Dan Wiley asked about property owners in Creston possibly delaying progress and Ted indicated he has the support of the local property owners along the intended path of the new trail and Dan also asked about routing of the new path in relationship to I71 and also where the trail planned to terminate in Creston which was reported by Ted to end at or near the Johnson Paints plant in Creston and once complete it will be an 18 mile trail, one way, from Rittman to West Salem - Gary asked about who "maintains" the trail once completed and Ted stated "Rails to Trails has that responsibility including trail resurfacing, etc." - Mayor Wilkinson thanked Ted for his presentation to Council.

Minutes - August 5th Regular Meeting Minutes

**Chris made a motion to waive the readings and to approve the submitted August Regular Meeting Minutes, seconded by Dennis. Vote; 6 ayes, 0 nays**

Council Reports:

Safety

Chris and Ken reporting:

- read the August Sheriff's Report – Gary reported an increase in Patrol Hours that totaled 178 hours for July and August, a definite improvement since Chris spoke with the Sheriff's Office about this issue
- a discussion took place about the lack of speeding traffic citations especially on SR 83 through the Village and non-enforcement of the “no engine brake” – Chris stated that this is standard practice for all Sheriff Departments to not focus on traffic citations but rather on patrolling – Mayor Wilkinson confirmed that he will be attending the Creston Council Meeting to determine if there is any interest in their returning to patrol in Burbank – Marti confirmed that staffing remains an issue for the Creston Police Department and that there has been discussion in Creston about possibly using Creston's Mayor Court for citations that would be issued in Burbank – Gary reminded Council that the current contract with the Sheriff's Office expires the end of this year and we need to start negotiations next month if no alternative is found

Finance

Ken and Thomas reporting:

- read the September Paid Bills and the Automatic Deductions amounting to \$3,221.94; **Ken made the motion to accept these payments, seconded by Chris. Vote - 6 ayes, 0 nays.**

Gary reporting:

- confirmed that he went out for additional bids to have LED's installed in the Park to replace the sodium units, he contacted Lampion Electric and John Walter, both visited the Park and he is now waiting on bid responses, he placed follow-up calls to both yesterday – the bid we received in 2020 from Callihan Electric was for \$3,200 and he will see if better pricing is available and he will have all pricing for the October Meeting – he asked if there were any questions or comments – none were offered
- confirmed that he received two bids for replacing the roof on the garage behind Village Hall and the bids were sent to Council today around noon time – he asked if there is any discussion needed or if there are any questions – nothing was offered – he recommended appropriating \$3,000 from the Park Budget to replace the garage roof which was more than the bid from Yoder Roofing to allow for any new roof sheeting that may be required

- **Marti made a motion to appropriate up to \$3,000 to have Yoder Roofing replace the garage roof, seconded by Dan. Vote: 6 ayes, 0 nays**

### Parks

Dennis and Marti reporting:

- ❖ confirmed that no one has heard from the Juvenile for doing any Community Service work and that Marti will reach out to that person once again
- ❖ Allan did the Third Reading of Resolution R2021-04, “a Resolution naming the ball field in the Burbank Park the Norma Buckingham Memorial Field in recognition of the contributions of Norma Buckingham to the baseball and softball programs of the Village of Burbank and years of service”
- ❖ **Marti made a motion to adopt Resolution R2021-04 in 30 days, seconded by Dan. Vote; 6 ayes, 0 nays**
- ❖ reported that they could not untie the knot on the halyards on the flag pole in the Park to lower the flag to half-mast – Mayor Wilkinson confirmed that he is working with Marti to get a new flag pole for the Park
- ❖ Cathy reported that the flag at the Old School Park is in very bad condition – it was confirmed that Gary Gallion is a member of the public Committee responsible for maintaining the Old School Park memorial including the flag pole – Marti agreed to contact Gary Gallion and to take responsibility for maintaining this flag – Gary asked Allan if there is any deed restrictions as relates to the Old School Park Committee and who has the authority to take such responsibility – Allan stated no deed restrictions are involved
- ❖ Chris reported that the roofs of the pavilions in the Park need clearing-off as well as trimming the bushes – Marti stated that she will contact the contractor

### Water & Sewer

Dennis and Dan had nothing to report.

### Streets

Chris and Marti had nothing to report.

- Gary confirmed that he advised Council, via email, on August 19<sup>th</sup> that no bids were received for snow plowing in response to the Notice of Bid run in the Daily Record on July 21<sup>st</sup> and 28<sup>th</sup> and because of that he asked Council to let him know of anyone else he can contact but there was no response from Council – he stated that if no other option is available we will have to stay with Peters Landscaping and pay excessive amounts for plowing and salting – if this continues, Streets will run out of funds for any repairs and if Council wants to pay from the General Fund, this fund will diminish to such an extent that we may never be able to apply for any future infrastructure Grants and all storm sewer and resurfacing could come to an end – he renewed his recommendation that a Street Levy be considered to put on a Special Ballot as we cannot make it on this

November's ballot if a solution cannot be found - Kathy asked for wording to be sent to her to asking for anyone interested to contact Burbank and put in a bid - Mayor Wilkinson asked for a copy of the bid package - Gary agreed to send both the information that each requested - Chris confirmed that he asked Canaan Township but they turned him down due to a staffing issue and ODOT, who does plow County Road 70 (Middle Street) and who on occasion knocks down mailboxes has no equipment small enough to do our other streets

- Dan Wiley raised concerns about storm water flowing down W. Middle Street and undermining Mailboxes - Chris stated that we are addressing a catch basin on this street that may resolve the problem but we won't know for certain until the work is completed
- Gary confirmed that he has contacted three contractors to bid installing a catch basin on W. Middle Street where only a "makeshift" basin had previously been installed along with also obtaining bids from these same contractors for sidewalk repair at 21 Front Street - he reported that the lowest bid is from Mules Hauling and Excavating at \$1,480 and the other bids range from \$2,000 to \$4,800 - he reported that he cannot close this issue until Chris talks with Mules Hauling and Excavating about the findings made when Chris and Dan dug down into the hole next to the sidewalk at 21 Front Street as Gary anticipates an increase in costs - Chris stated that he will call them tomorrow and Gary offered to meet with this contractor if Chris is unable due to his work schedule - Allan reconfirmed that the hole next to the sidewalk is the owner's responsibility and that we cannot proceed until he notifies the property owner of their financial responsibility - Allan asked for and received information on the home owner and will send them a letter as soon as we can confirm a final cost for this work
- Mayor Wilkinson asked if there were any complaints about the mosquito spraying now being done twice a week throughout the entire Village and that he has noticed an improvement as has Cathy - Mayor Wilkinson confirmed that they are also spraying down in the Park and that they will continue at least through the end of September - Gary confirmed that he generated a Purchase Order for the contractor that should carry us through the end of October if needed

### Zoning

Thomas and Dan had nothing to report.

- o Allan provided updates on the two projects that he is involved with - 141 Water Street is waiting on a court date to be set which is being delayed due to health conditions of the property owner as both attorneys are waiting for the owners health to improve before asking for a court date to be set - 133 Water Street he has talked with the property owner about this home being used as a "Practice Burn" for the fire district - Dan is following up on this to see if there is anything that could possibly "block" this consideration - Chris voiced a concern that the EPA may have an issue but Allan is hoping that since this will be going through

- FEMA, it may not be an issue – Gary confirmed that he spoke with the property owner today and she is OK with our contractors looking inside the house so they can better determine an accurate cost to demolish and haul away, provided we give her a few days advance notice – Gary confirmed that he left voice messages with both contractors about setting up a date to inspect the inside of the home
- o Mayor Wilkinson confirmed that he is setting up a meeting with the Youth Baseball organization to discuss this further and invited those interested to also attend – Gary asked to be notified so he can attend if finances are going to be discussed
  - o Ken confirmed receiving a call from Heidi Hoffman about tall grass at 181 Front Street – Chris confirmed that this has been corrected
  - o Dan Wiley raised concerns about the property at 111 W. Middle Street regarding high grass and asked when is the Village going to do anything about this ongoing problem – Allan will get with Ben for details and Allan will send the owner a letter stating that the Village will cut the grass and lien the property – Gary asked if our lawn contractor needs to wait until Allan notifies the owner and Allan confirmed “yes”
  - o Dan Wiley also asked about parked cars that are not running – Mayor Wilkinson stated so long as the car is licensed, they can park it as long as they want

#### New Business:

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, October 7<sup>th</sup> at 8:00 PM
- ✓ confirmed depositing \$0.00 for July Traffic Fines

#### Old Business:

Gary had nothing to report.

#### Public Comment:

- Cathy stated that Trinity Church has flooded their basement twice since the storm sewer work on Henrietta and Terry stated that the drain tiles (lateral) on the west side of the Church are not tied into the storm sewer – Gary reported that Engineering Associates has drawings on this and marked all “prior tie-ins” and that along with the on-site observer would not have left any previous tied-in lateral disconnected and stated that he will call the engineer to confirm the presence or lack thereof of such laterals – Cathy asked that Gary contact Roger Hartley and Terry Moore with his findings
- Cathy brought documentation on “Traffic Logix” for consideration by Council to install on Front Street, these units flash your speed as you approach the unit – Chris thought this might be a good use for next year’s PEP Grant

**There being no further business to come before Council, Chris made a motion to adjourn at 9:38 PM, seconded by Marti. Vote; 6 ayes, 0 nays**

**X**

\_\_\_\_\_  
Mayor, David Wilkinson

**X**

\_\_\_\_\_  
Fiscal Officer, Gary Harris