

**VILLAGE OF BURBANK
REGULAR MEETING, MARCH 3, 2022**

Mayor David Wilkinson, called the meeting to order at 7:08 PM.

A roll call was taken with the following officials present: Chris Norton, Ingram McCord, Terry Moore, Thomas Lenhoff (arrived at 7:38 PM), Marti McCord; also, in attendance: Allan Michelson – Solicitor, Ben Berger – Zoning Inspector, Gary Harris – Fiscal Officer and visitors Cathy Kopp and Anna Dickson.

Mayor Wilkinson welcomed our guests.

Terry made a motion to excuse Danuel Priebe, seconded by Marti. Vote: 4 ayes, 0 nays

Minutes – February 10, 2022 Regular Meeting Minutes

Chris made a motion to waive the readings and to approve as submitted the February Regular Meeting Minutes, seconded by Marti. Vote; 4 ayes, 0 nays

Council Reports:

Safety

Marti and Ingram reporting:

- reported that Creston issued 17 citations in February and delivered the check for fines to the Fiscal Officer
- confirmed that Creston Police worked 57.75 hours in February out of the 50 requested hours
- confirmed Officer Stephy has completed his training and will be the primary patrol officer in Burbank
- Allan confirmed that the Traffic Code and General Offenses Code have been completed
- reported that the truck accident in Burbank, that damaged street signs, will have the attorney, representing the trucker involved, will be attending court in Creston and there is a minimum \$133 traffic fine to be accessed

Finance

Thomas & Terry reporting:

- read the March Paid Bills and the Automatic Deductions amounting to \$1,969.65 and asked if there were any questions or any details needing to be presented – none were requested; **Terry made the motion to accept these payments, seconded by Ingram. Vote - 4 ayes, 0 nays.**

Gary reporting:

- reported on the Revenue Increase Options that Council authorized him to look into at the February Meeting: on a tax Levy, for every 1 mil, the Wayne County Auditor estimated that we will generate \$5,600 in revenue and this tax burden only hits our residents, each mil is taxed at \$1/\$1000 of your house value – to just cover all current plowing costs, without any street wide salt applications, we would need a 4 mil levy and it can only be used for Streets if it were to be a Street Maintenance Levy; on a Village Income Tax consideration, he has contacted RITA thanks to information provided to him by Allan – he spoke with Brian Thunberg who is a Government Liaison with RITA, and he is prepared to make a presentation to our government officials on how it works and how they work with our residents – with a 1% tax rate we do not have to put this to a vote, we can issue an Ordinance or Resolution to be able to proceed – RITA has the capability to estimate our annual revenues from such a tax on businesses and residents – the Village can offer residents a “credit” if they work in municipalities where they also pay an income tax – the annual fee is 3% of what we collect unless it is below threshold costs – we can “split” the revenue earned meaning x% to the general fund and y% to the street fund – I believe this option, the income tax, offers the greatest level of potential income and the residents **do not carry the full burden** as they would if we just enact a tax levy – RITA would send out a letter to all businesses and residents, they would also offer to hold a public meeting (which I would encourage us to hold) to answer questions from our residents and businesses and such a meeting should be held at one of the churches in the Village to have sufficient capacity in case of a large turnout
- **Chris made a motion to call for a Special Meeting on April 7th at 7:00 PM to have RITA make a presentation to Council members only in advance of the Regular Council meeting scheduled for 8:00 PM, seconded by Terry. Vote: 5 ayes, 0 nays**
- announced that Permanent Appropriations need to be voted on tonight – based on email exchanges that he had with Marti, he is inclined to increase the Appropriations for Parks by \$10,000 – if they spend all appropriated monies that will be in the budget for 2022 they will not be able to do much in 2023 – he estimates that they will only have \$7,700 available for spending on park mtc and/or upgrades for all of 2023 – he asked to have **a motion to increase the Temporary Appropriations by \$10,000 for Parks with all other accounts unchanged for the 2022 Permanent Appropriations, Marti stated so moved, seconded by Terry. Vote: 5 ayes, 0 nays**
- Allan did the first reading of Ordinance 2022-02, “an ordinance to set Permanent Appropriations for the current expenses of the Village of Burbank, State of Ohio, during the year ending December 31, 2022 and declaring the same to be an emergency for the public peace, health, safety and welfare”
- **Chris made a motion to waive the 2nd and 3rd readings of Ordinance 2022-02, seconded by Marti. Vote: 5 ayes, 0 nays**
- **Chris made a motion to adopt Ordinance 2022-02 as an emergency, seconded by Marti. Vote: 5 ayes, 0 nays**

- reported that he has some great news for the Village - there has been a relaxing on the uses of the ARPA monies by the Treasury Department - we still need to follow the Interim Final Rules and the Federal Purchasing guidelines that we recently amended to our Code of Miscellaneous Ordinances - we can now use these monies for Government Services which include, but are not limited to, street maintenance and other infrastructure i.e. environmental remediation (possibly a new and quiet furnace and air filtration system), etc. - this would apply to the culvert work on E. Middle Street if Council wants to use Federal monies - NOTE - in addition to meeting the procurement requirements we must also be compliant with the Civil Rights Act of 1964 - he has asked Allan to investigate this for us and we may need to go out for other bids from minority owned businesses which will delay starting this work - note these monies are now also available to use on street repairs - this will be a big boost for the Village as this will provide us nearly \$21,000 by the end of this year - Mayor Wilkinson asked if we can use regular fund monies for the culvert repair and use the ARPA monies for street pot hole repairs - Gary confirmed that yes we can

Parks

Marti & Terry reporting:

- ❖ confirmed that they are to meet tomorrow with Larsco Construction to inspect and obtain a bid for the resurfacing of the basketball court which appeared on the Insurance Inspection Report - Terry reported that a replacement slide for the defective slide that we have has a quoted price of \$6,000 - the discussion then considered repairs to the existing slide and a request for contact information to our PEP Insurance Inspector - Gary to provide that information to Terry - the discussion then proceeded to review the other equipment on the Inspection Report needing repair or replacement - Gary reviewed his findings on possible Grants for the Parks - Grants for the Park - ODNR - applications are now available, due June 1st, requires 25% matching; at last month's meeting Cathy suggested looking at Game Time for Grant options - his research at Game Time for Ohio grants listed those that we already know of and have used - ODNR - they also listed National Grants that has 20 pages and a total of 80 sources that can be researched - he reported that if Council wants him to begin the research to locate foundations that will consider Park donations, he will have to reactivate the Contracts and Grant Administrator position but he will agree to reduce the monthly pay rate down from the \$600 per month (when he was writing grants and being the Project Site Manager) down to \$300 per month while he does the research - Mayor Wilkinson suggested we look at Grants for the Park to make the necessary corrections and/or replacements - Gary stated that this will take time, that Grants applied for this year will not have funding available until next year which will require us to remove the slide, the carousel and all bleachers this year and before Park visitations in the Spring increase - Mayor Wilkinson stated that this is what we will do
- ❖ **Marti made a motion to reactivate the Contracts and Grant Administrator position for Gary while he does the Grant research only at \$300 per month, seconded by Ingram. Vote: 5 ayes, 0 nays**

- ❖ Gary stated that the \$1,000 PEP Safety Grant can be used towards these safety upgrades in the Park but he needs a quote for the piece of equipment we will use the monies against to replace any defective equipment
- ❖ a discussion took place on having potable water in the Park, it was decided to not upgrade the water quality to potable but rather to make unpotable water available

Water & Sewer

Thomas & Ingram had nothing to report.

Streets

Chris reporting:

- a discussion took place on snow removal and a recent billing received from Countryside Lawn Care for salting the entire streets in the Village last month
- Ben reported that he had to plow Reed Court five times as the contractor did not plow or salt this street at any time
- **at 7:55 PM Chris made a motion to go into Executive Session to review and discuss the billing received from Countryside Lawn Care, seconded by Marti. Vote: 5 ayes, 0 nays**
- **at 8:22 PM Ingram made a motion to return to the Regular Meeting session, seconded by Marti. Vote: 5 ayes, 0 nays**
- **Marti made a motion to appropriate \$1,711.80 to pay Countryside Lawn Care for the February salt application, seconded by Terry. Vote: 4 ayes, 1 nay - the motion passed**
- Gary reported that the replacement pole and street signs, caused by the semi damage, are scheduled to be replaced this upcoming week

Zoning

Chris had nothing to report.

- o Allan confirmed that he has no update for 141 Water Street as they are waiting to do the inspection with the County for better weather
- o Allan reported that the FEMA Grant for 133 Water Street has been approved and that he and Gary will be meeting with FEMA via a Zoom Meeting to have the Implementation Meeting - Allan confirmed that he will then proceed to enter into negotiations with the property owner to settle on a purchase price - Allan confirmed that the Village cannot sell any of the property once the property transfers - Chris asked if we could use some of the property as a parking lot, build a shelter, etc. and Allan reviewed what we can do with the property
- o Ben confirmed that he and Allan are working on the 111 and 124 W. Middle Street and 215 E. Middle Street Zoning Violations paperwork to be submitted to the Wayne County Prosecutor for action

- o Marti confirmed that she will be speaking with Mayor Hall, in Creston, to see if he will hear our Zoning Violations in Creston's Mayors Court
- o Gary reported that he has met with two contractors on the culvert repair on E. Middle Street and that he is to meet with a third contractor this week - Mayor Wilkinson said it would be better to use current funds to pay for this repair and use the ARPA funds for street maintenance and the pot hole repairs - Chris reported that our costs for the concrete blocks for this work will cost the Village somewhere between \$0-60 each and he will let us know as soon as he has confirmation
- o Allan confirmed that the property lien for 21 Front Street was filed in February

New Business:

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, April 7th at 8:00 PM
- ✓ confirmed that he will deposit the \$502.00 that he received tonight for February Traffic Fines
- ✓ reminded Council that at the April Meeting he will be distributing the 2023 Budget Worksheets and that he will need Council's input no later than May 31st which will then proceed to the Public Hearing on the budget in June and submission of the budget to the Wayne County Auditor in early July
- ✓ reported that with Ken's resignation at the end of last year, we need one more person to be appointed to the Purchasing Audit Committee - Mayor Wilkinson appointed Terry to fill that spot
- ✓ thanked Thomas for updating the Website with all past Meeting Minutes posted as well as updating Village contact information - asked Thomas to check his email for one more update to the Meeting times posted on the Website that needs to be made
- ✓ confirmed that on February 18th he sent to all elected officials a Training Seminar available to new and experienced Council members - to date Terry stated that he wants to do the training taking place on Saturday, March 26th in Independence, OH - Gary confirmed that the Village can afford to pay the OML member fee of \$75/participant, lunch and mileage - Marti and Ingram stated they will be in Columbus at the time of the meeting in Columbus and would like to attend that session - Gary **requested a motion to approve payment for this training including paying for mileage and lunch on the day of the meeting, Terry said so moved, seconded by Marti.**
Vote: 5 ayes, 0 nays
- ✓ asked Council if they wanted to post a notice about recyclables received from Rumpke, Council decided not to since we do not have any active recyclable program in the Village

Old Business:

✚ Allan confirmed that the Kimble trash hauling contract was signed and is now in effect

Public Comment:

Nothing offered

There being no further business to come before Council, Chris made a motion to adjourn at 8:47 PM, seconded by Marti. Vote; 5 ayes, 0 nays

X

Mayor, David Wilkinson

X

Fiscal Officer, Gary Harris