

VILLAGE OF BURBANK
REGULAR MEETING: MAY 5, 2016

Mayor Carolyn Dibler called the meeting to order at 7:00 PM.

A roll call was taken with the following officials present: Chris Norton, Dennis Rigerman, Chris Letzelter, and Gary Gallion. Also in attendance: Allan Michelson - Solicitor; Gary Harris - Fiscal Officer, Jim Brandenburg - Zoning Inspector; residents Ken Dibler, Leo Rowe; visitors Robert and Tammy Mosher, Bob Morehead with The Post and Jonathan Scholles with The Daily Record.

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

Minutes -April 7, 2016 Regular Meeting

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

Gary made a motion to excuse Tracy Lenhoff, seconded by Chris. 4 ayes, 0 nays

Committee Reports:

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

Public Hearing for the Conditional Zoning Permit to operate an auto and light truck repair/maintenance business to be located at 49 Front Street by Renter/Owners Robert and Tammy Mosher. Jim confirmed that the Application has been properly completed and that he did issue letters to all adjacent property owners to attend this Public Hearing. During the discussion the Owners indicated their desire to build a storage shed on the property at a later date and Allan confirmed the need to be compliant with set-back and the Zoning Code when they file for a permit.

Chris made a motion to approve, for conditional use, the auto/truck repair/maintenance business located at 49 Front Street with the understanding of adding a future storage shed, seconded by Gary. 4 ayes, 0 nays

Allan confirmed that with all documents in place and with the passing of this motion they are now cleared to proceed to open their new business at 49 Front Street. Carolyn asked if the Village needed another site to post notices in the Village, would they agree to allow the Village to do so; the Mosher's did agree to allow such postings

Council Reports:

Zoning

Chris and Norton had nothing to report.

Jim reporting:

- o Read the Zoning Report
- o Requested a letter from Allan due to no response to his Zoning Violations from the 208 E. Middle Street residence; Allan confirmed that he will proceed

Safety

Chris had nothing to report.

- Fiscal Officer gave a copy of the Creston Police Summary Report with their activity for the month of April to Chris; Chris commented on the number of Warnings and few Traffic Citations issued; Mayor Dibler will contact the Creston Police Chief to discuss this matter

Finance

Gary reporting:

- Read the Paid Bills and automatic deductions amounting to \$8,356.56. **Gary made a motion to accept the Paid Bills, seconded by Dennis. 4 ayes, 0 nays**

Fiscal Officer reporting:

- Distributed the 2017 Budget Revisions to the Street Chairs and Mayor as the only change to the proposed 2017 Budget is to the Street Fund; the change was to reduce prepaid engineering costs down from \$77,000 to \$38,000 due to the reduced scope of work on Storm Sewers and Street Repair/Repaving due to no CDBG funds available to Burbank in 2017; he confirmed that all other Chair budgets remain as distributed to Council on April 7th as no Council member contacted him with any questions, comments or changes; he then asked if there were any questions or comments to the revised budget - no questions or comments were offered
- **Norton made a motion to approve the revised 2017 Budget for Public Review and to authorize the Fiscal Officer to place an ad in the newspaper for a Public Hearing, on the 2017 Budget, to be held on Thursday, June 2, 2016 at 7:00 PM. 4 ayes, 0 nays**
- Distributed the revised Engineering/Construction Bid to replace storm sewers and repair/repave Water Street only for 2017; the revised cost estimate is \$251,400 and he proposes to file an OPWC Grant Application in the amount of \$226,260 with the Village paying \$25,140 (10% minimum required by OPWC) since we have no CDBG funding available for 2017 to use as matching funds
- Recommended to Council that an Income Survey for the entire Village be completed in 2016, it remains valid for 5 years, since our LMI status will not

be recognized when considering a CDBG Application unless we complete all storm sewers and road repair/repaving on a Village wide basis at an estimated cost of \$3.5 million dollars and which the Village cannot afford based on matching funds and/or prepaid engineering that may be required; with an Income Survey completed and with at least a 65% return of all distributed survey's to our residents (the information remains totally confidential with no Village government official ever obtaining or seeing any resident's responses) and if such survey's continue to support the LMI status, for the targeted streets for 2018 and beyond (for the life of the survey's) Burbank may once again become eligible for CDBG funding; he reviewed the April 13th e-mail sent to Council and how, by completing this survey, we have the potential to complete all storm sewer replacements and all street repair/repaving for the entire Village in 7 years versus 14 years without any CDBG funding (the years to complete are based on winning all Grants applied for every year - the Fiscal Officer stated that this is not likely to happen since we are competing for such Grants on a statewide basis)

- **Chris made a motion to approve and agree to conduct a Village wide Income Survey on or before October 31, 2016 with all Council members and the Fiscal Officer distributing survey's & following-up for completion and mailing by our residents, seconded by Dennis. 4 ayes, 0 nays**
- He stated that all Council must realize that in 2017, with the lack of any CDBG Grants, that if the Village decides to proceed with working Water Street only we end up paying nearly the same as we would have paid for two streets (Henrietta & Water) had CDBG funding been available; the Mayor asked by Water Street is first and the Fiscal Officer stated that since all streets discharge into Water Street, east of SR 83, it is necessary to do Water Street first to avoid creating other problems due to the current storm sewer system and its potential to not be able to accept all storm water runoff for discharging into Killbuck Creek
- **Chris made a motion to approve filing an OPWC Grant Application for \$226,260 (or higher based on any engineering/construction cost revisions received before the September filing deadline) and also approving \$25,140 in Village matching funds and to be responsible for any construction cost overruns. 4 ayes, 0 nays**
- Council requested that the Fiscal Officer contact Engineering Associates (EA) to add an 18" stone berm to both sides (North and South) on Water Street from the intersection of SR 83 (eastward) to the intersection of Henrietta Street as a base in the event the Village ever wanted to widen Water Street in the future; the Fiscal Officer will contact EA and report back to Council

Parks

Dennis reporting:

- ✚ Confirmed that he met with Jim Brannam (Contractor) and received an updated quote, just today before this meeting, which needs to be further studied before offering input
- ✚ Confirmed that the Port-a-jon was installed this past Friday and believes the monthly rental will be in the \$81 range

Water & Sewer

Dennis had nothing to report.

Streets

Gary and Norton reporting:

- ✓ Confirmed that Gary met with the Fiscal Officer, the Contractor and Wayne County Planning Department officials to review the construction work and financial Federal guidelines for the CDBG Grant awarded to the Village of Burbank; confirmed that the Contractor plans to pour the “pole foundation” in May; Fiscal Officer to contact ODOT and/or TMS Engineers to inspect the foundation work
- ✓ Mayor confirmed purchasing a “safety cone” and placed it at the intersection of Water Street and SR 83 to avoid any damage to vehicles entering Water Street; she will confirm the cost to the Fiscal Officer

New Business:

Gary Harris reporting:

- Confirmed the next Council meeting will be Thursday, June 2nd
- Confirmed depositing \$125 for residential property zoning permits, \$125 for a business sign permit and \$12 for March Traffic Fines
- Confirmed that the Village has two CD’s maturing on 5/27/16 and 5/28/2016 for Streets and the General Fund respectively and unless Council disagrees he will allow this to “roll-over” and reinvest based on the current interest rates of .035% & .025%; resident Ken Dibler asked if the Fiscal Officer investigated higher interest bearing investments and Gary Gallion responded that he had and with no real gain to be realized
- Confirmed the need to schedule the next Records Commission Meeting for June and he recommended scheduling the meeting for 6:50 PM on June 2, 2016 before the Public Hearing and Regular Meeting; he asked if there were any questions or discussion or alternate recommendations; none were offered so he confirmed that he will schedule the meeting for this date and time

- Confirmed the need to remind Kimble to submit an updated Workers Comp. Certificate as the current certificate expires 6/30/2016; Allan confirmed that he will take care of this
- Reviewed the snow plowing/salting costs for this past Winter season and expressed concern at what was paid when compared to prior years with harsher winters; Street Chairs confirmed that all work had been scheduled, and not left to the discretion of the Contractor, as this had been the concern of the Fiscal Officer
- Mayor stated she had been contacted by a resident wanting to paint the “red wall” in the Park with a mural honoring our Veterans if the Village would pay for the paint and that the Mayor had invited her to attend this meeting; Council decided to wait until more input is received from the resident making this request

Old Business:

Gary Harris reporting:

- ❖ Reminded Park Chair and Council that we have committed to completing Park upgrades by August, 2016
- ❖ Requested status on Road Repair Contract and the note left at Village Hall by a resident to repair pot holes; Street Chairs confirmed no contractor has yet been located
- ❖ Requested a decision on the General Fund Levies up for voting in 2016; after some discussion it was decided to not put these Levies on the November ballot but to wait until March and/or August of 2017
- ❖ Asked if Council wanted to re-key Village Hall since we have two keys not yet returned; Council decided to not proceed at this time since one of the two key holders has moved to Florida and the second holder is still searching
- ❖ Allan confirmed that the Village now has title to 121 S. Front Street and it is our responsibility; Allan asked if Council wanted to consider a Land Ordinance that would allow the Village to use any monies earned from the sale of this property to be used for Village redevelopment such as cleaning-up properties, boarding-up and securing properties, etc.; Allan proceeded with the first reading of Land Ordinance 2016-06
- ❖ Jim then asked about what Council wanted to do with the structures at 121 S. Front Street; after some discussion, Council decided to only demolish the garage and to leave the main structure as is for now
- ❖ **Chris made a motion to demolish the garage at 121 S. Front Street with a not to exceed cost of \$2,950, seconded by Dennis. 4 ayes, 0 nays**
- ❖ Allan will proceed to issue the contract for this work and to include a 60 day time limit to complete all work; Jim received copies from the Fiscal Officer needed to be completed by the Contractor (before work begins as well as

submitting all insurance documentation before beginning) having to do with OPERS and W-9 completion; the Fiscal Officer stated that Jim will need to sign off that all work was properly completed and the removal of all debris before payment will be released

- ❖ The Fiscal Officer reminded all of Council that we will have legislation to pass at June's meeting and we need all 5 Council members present

Public Participation:

Nothing offered.

There being no further business to come before Council, Gary made a motion to adjourn at 8:20 PM, seconded by Norton. Unanimous.

X

Mayor, Carolyn Dibler

X

Fiscal Officer, Gary Harris