

**VILLAGE OF BURBANK
REGULAR MEETING, APRIL 4, 2024**

Council President Byler, called the meeting to order at 7:32 PM.

A roll call was taken with the following officials present: Ingram McCord, Terry Moore, Thomas Lenhoff, Marti McCord; also, in attendance: Allan Michelson – Solicitor, Ben Berger – Zoning Inspector, Gary Harris – Fiscal Officer and visitors Michael Woodall, Trenton Woodall, Michael Graves, Susana Vignon (with the Public Entities Pool) and Renee Terhorst (with The Buren Insurance Group)

Council President Byler welcomed our guests and announced that the meeting is being taped

Council President Byler requested that all questions and comments from the public be delayed until the Public Participation segment near the end of the meeting

Ingram made a Motion to excuse Anna Dickson and Chris Norton, seconded by Marti. Vote: 5 ayes, 0 nays

Council President Byler invited our guests from the Village Insurance carriers to address Council – Renee confirmed that any extra events held in the Village Park requires additional insurance coverage and when alcoholic beverages are being considered the requirements become even more stringent and could require a premium payment of \$500 and the need for a Police presence as well as such a presence at some other Park events – reported that the Village is liable if any event attendee is involved in an accident who had consumed liquor at a Park event, even if the Village does not Host the event – every vendor for any Park activity must be vetted by the Village and the Host of any Park event must also be insured as do any other vendors selling at a Park event – Susana stated that a Hold Harmless agreement should be obtained that helps to transfer the risk to the Host but even this does not eliminate the potential liability of the Village – Susana stated that their website offers instructions and guidance in such matters at the PEP Resource Library – Renee stated that when the Village had a Bounce House in the Park, the liability was on the Village as she does not believe that the vendor had insurance nor did the vendor remain on site during the event – if a Farmers Market is held in the Park and if it is Hosted by the Village, the Village has to contract with each vendor and confirm that each has current insurance – Renee stated that her office could assist in such matters – Council President thanked Renee and Susana for attending tonight’s meeting

Minutes – March 14, 2024 Regular Meeting Minutes

Terry made a Motion to approve as submitted the March Regular Meeting Minutes, seconded by Marti. Vote; 5 ayes, 0 nays

Council Reports:

Safety

Marti reporting:

- reported a total of 7 Traffic Citations for March, all of which went to Mayor’s Court in Creston and she delivered a check in the amount of \$175 for these citations
- Creston worked 68 out of the 80 hours requested for March and will work more in April to make up for the shortage in hours through March
- a discussion took place about the Radar Speed Detectors, the costs of the detectors and considerations for the hours to be worked by Creston in light of the cost impact of the detectors
- **Marti made a motion to return to the 1,000 scheduled hours for 2024 Police coverage, down from the 1200 requested earlier this year, seconded by Jay. Vote: 5 ayes, 0 nays**
- Marti to advise Chief Meshew on the reduced hours back to 1000 total for 2024
- **Marti made a Motion to purchase two Radar Speed Detectors as bid by Elan City, seconded by Jay. Vote: 5 ayes, 0 nays**
- Gary stated that the Terms need to be negotiated as they are not as favorable to the Village as preferred – Council advised Gary to negotiate and if the vendor is unwilling to negotiate, he is to proceed to order the detectors either way – Terry asked that Gary obtain two other price quotes to make certain that the bid price that we have is competitive

Finance

Terry reporting:

- read the April Paid Bills and the Automatic Deductions amounting to \$8,060.33 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 Jay. Vote - 5 ayes, 0 nays.**

Gary reporting:

- confirmed that tonight he set out a copy of the 2025 Budget Worksheets and placed them on the Council table where each member sits – In addition to the work sheets he also gave each member three pages of instructions and the timeline – to minimize the time spent on this task tonight, he only reviewed the timeline, 3rd page down, items 1-5 – the key date to remember is your need to advise me on any requested budget additions before June 1st and, as always, he offered to meet with any individual or as a group anytime

between now and the end of May, he also reminded Council that he would review our status about filing a new 2024 OPWC Grant Application this year at the June meeting once he receives any budget changes from Council by the end of May – he asked if there were any questions or comments – none were offered

- CDBG Grant for the Front Street Sidewalks – on March 19th he confirmed emailing Council that Smith Paving will be awarded the contract for this project by the Wayne County Commissioners – the next step is the Pre-Construction meeting, this is estimated to happen the week of April 15th which could allow construction to begin in April depending upon timing and weather - he asked if there were any questions or comments – none were offered
- OPWC Grant for the Diagonal Road Project – he asked Allan about any update on obtaining the two easements and Allan reported he is waiting to hear back from Mr. Kent – Gary will ask Joshua from Engineering Associates to contact Mr. Kent and Jay said if Joshua is unavailable to call let him know and he will ask Chris to make the call - Gary confirmed that on March 29th he set-up the bid announcement to run in The Daily Record starting on April 3, 2024 with the first Ad to be followed by a second Ad to run on April 10th – bid opening will take place on May 1st at Burbank Village Hall – confirmed that he also sent the Ad to Cathy and Thomas to place the Ad on our social media sites and remove the ad at the end of April – on May 2nd, at our regular Council Meeting, Council will be asked to approve the awarding of the contract to the lowest approved bidder after which he will ask Allan to generate the “letter of intent” thus allowing the contractor to enter our project onto his master schedule and hopefully begin construction in early July, 2024 - he asked if there were any questions or comments – Terry asked if Gary will be at the Bid Opening and Gary confirmed that he will be there

Parks

Ingram had nothing to report.

- ❖ Mosquito spraying was discussed and Council wants to proceed with this service like we had last year – Gary said he has no quote for this work and he was informed that Valley View Spray Service mailed it to him
- ❖ Ben reported that the Spring Clean-Up has been completed and while he was cleaning debris off the West Pavilion he noticed that the roof above the kitchen and picnic table area is soft – Gary to obtain a bid to replace roofing

Water & Sewer

Thomas had nothing to report.

Streets

- Terry asked about responding to the comment on Facebook about missing storm sewer grates – Jay said he will speak with Chris about this
- Jay said we will need to wait for Chris to return to talk about street signs and the bid for pothole repairs

- Gary confirmed that on April 3rd he sent Curve Sign costs and the Crash Report data to Village Officials based on concerns raised at the March meeting about a high number of accidents at the curve while traveling northbound on SR 83, inside Village limits, near 105 Front Street – the report listed no reported accidents near this location in 2022 or 2023 so he doubts that ODOT will assist with any signage

Zoning

Jay reporting:

- ✚ confirmed that he and Ben will be reviewing and discussing the Zoning Code and any corrections that are needed – they will bring the proposed changes to Council for their consideration before any changes are made – confirmed that no committee has been formed for this task
- ✚ Marti reported that the property owner of 111 W. Middle failed to appear in Court and will now be issued a Summons to Appear for a May 20th Court Appearance – a daily fine was discussed by Council who felt it worth pursuing – Allan and Ben to review
- ✚ 54 Front Street – Ben reported that he gave a citation to the Renter to remove the tree, he called the owner but has not yet heard back
- ✚ Ben reported that he issued a Citation to 118 Front Street to clean-up the property
- ✚ Ben reported that he issued a Citation to 120 Mill Street to remove a red barn and about a car without plates
- ✚ Ben reported issuing a Citation for a Black Truck located on Middle Street
- ✚ 12 Front Street – Ben reported that he tried reaching the resident who called Gary about the Citation issued for his car on a jack stand but he has not heard back from the owner
- ✚ Allan reported that if the Village wants to permit the sale of alcoholic beverages in the Park he will generate an Amending Ordinance to the Village Code if Council wants him to do so
- ✚ Mr. Graves asked about parking on the sidewalk on E. Middle Street at the Hair Salon that is there from about 4:00 PM to 5:00 AM daily – Council advised that the Police would need to issue a Citation but the car is not there when they are in the Village

New Business:

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, May 2nd at the start time of 7:30 PM
- ✓ confirmed that he deposited the \$302 for the February Traffic Fines and that he has received a check for \$175 for the March traffic citations

- ✓ as a reminder for our residents, April 15th is the deadline to file your 2023 Village Income Taxes and your estimated taxes for 2024 – the RITA site has all of that information to assist you at <https://www.ritaohio.com/individuals/home/file>
- ✓ reminded Council that PEP is offering a \$1,000 Grant for safety related items – we do have all year to apply but we don't want to forget about it and lose this “free” Grant money – Gary confirmed that the Grant can be used towards covering the costs to install a Guardrail at the green space on Water Street
- confirmed that on April 16th he will transfer the monies from the 13th Month CD into the Checking account to earn the higher interest as approved by Council at the February 1st Council Meeting - he asked if there were any questions or comments – none were offered
- Marti reported that there is a traffic camera north of the Village on SR 83 as part of a Federal program for BOLO alerts

Old Business:

Gary had nothing to report.

- o Allan confirmed that the Police Levy will be up for a vote in 2025

Public Comment:

- Mr. Woodall reported that he is a proud veteran and is disappointed in the poor condition of the flag pole in the Park – Mr. Woodall offered to care for the flag pole if the Village will install one – Council thanked Mr. Woodall for his military service
- **Jay made a motion to appropriate up to \$500 to purchase a new flag pole, seconded by Marti. Vote: 5 ayes, 0 nays**
- Council asked Gary to purchase a new 20' flag pole and get bids to install the pole
- Mr. Graves stated that he will be removing his sidewalk and asked if the Village needs any fill - Council stated no fill is needed

There being no further business to come before Council, Marti made a motion to adjourn at 8:58 PM, seconded by Jay. Vote; 5 ayes, 0 nays

X

Mayor, Anna Dickson

X

Fiscal Officer, Gary Harris