

**VILLAGE OF BURBANK  
REGULAR MEETING, FEBRUARY 7, 2023**

Mayor David Wilkinson, called the meeting to order at 7:04 PM.

A roll call was taken with the following officials present: Anna Dickson, Terry Moore, Jay Byler, Thomas Lenhoff, Marti McCord (arrived at 7:10 PM); also, in attendance: Gary Harris – Fiscal Officer and visitor Cathy Kopp

Mayor Wilkinson welcomed our guests.

**Jay made a motion to excuse Chris Norton, seconded by Terry. Vote: 5 ayes, 0 nays**

Minutes – January 5, 2023 Organizational and Regular Meeting Minutes

**Terry made a motion to waive the readings and to approve as submitted the January Organizational and Regular Meeting Minutes, seconded by Jay. Vote; 5 ayes, 0 nays**

Council Reports:

Safety

Marti and Anna reporting:

- announced 47 out of 50 hours worked and reported a total of 6 Traffic Citations for January

Finance

Terry and Thomas reporting:

- read the February Paid Bills and the Automatic Deductions amounting to \$47,571.57 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:

- as of February 1st, a total of \$24,051.12 has been deposited for the Village Income Tax receipts from RITA since July of 2022
- 2022 is now officially closed with all State and Federal reports filed, 2023 is now open and functioning – he asked if there were any questions or comments – none were offered
- announced the need for any proposed changes to the 2023 Appropriations before the March 2<sup>nd</sup> meeting – if anyone wants to meet before the next meeting or have him provide another copy of the Temporary Appropriations just let him know otherwise, the Temporary Appropriations become the Permanent Appropriations subject to any changes that he may make based on cost review analysis – any questions or

comments – Anna asked for a copy of the Temporary Appropriations and Gary provided that copy to her

- the Village did receive the signed Agreement from ODNR on January 31<sup>st</sup>, he signed and returned the Playground Boss Quote the same day to the supplier and he did receive a call-back from our new contact – in order to submit a 50% down payment, he stated the need to vote on two Ordinances – he confirmed that he did furnish the Installation Instructions to Jay and strongly recommend that he reads the 84 pages ASAP in case there are any questions needing input from the supplier or need to acquire additional equipment, tools, supplies or help (he recommended 4 people to offload the truck which will arrive on a weekday) and he has obtained the agreement from the supplier that if the driver/carrier tries to collect more money from us due to off-loading times, the supplier will take care of this with the carrier – final weights and dimensions will be provided on the day they load the truck in Texas, Gary recommended a flatbed truck versus a van for the delivery vehicle as it is easier to off-load and the crates will be too large for a lift gate to be of any use – he notified ODNR of the lower cost for the equipment than what we put in our application and they responded in a very positive and supportive way – we can use any left-over grant monies for other Park items on this project – subject to ODNR review and approval, this is GREAT news - any questions or comments – a discussion took place on equipment to assist in off-loading, helpers and Gary pointed out that the Installation Instructions contains “cautions” about how to store the equipment once offloaded
- Gary did the first reading of Ordinance 2023-01, “an Ordinance approving amending the Certificate of Estimated Resources for the Nature Works Grant Fund and declaring the same an emergency”
- **Marti made a motion to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance 2023-01, seconded by Jay. Vote 5 ayes, 0 nays**
- **Terry made a motion to adopt Ordinance 2023-01 as an emergency, seconded by Anna. Vote 5 ayes, 0 nays**
- Gary did the first reading of Ordinance 2023-02, “an Ordinance approving amending the 2023 Appropriations and declaring the same an emergency”
- **Anna made a motion to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance 2023-02, seconded by Terry. Vote 5 ayes, 0 nays**
- **Marti made a motion to adopt Ordinance 2023-02 as an emergency, seconded by Jay. Vote 5 ayes, 0 nays**
- last month Council authorized him to proceed with the CDBG Grant Application – he reached out to the Wayne County Planning Department for an update on the anticipated date for Applications to be made available for filing – they responded that he should check back in by the end of this month – he will continue to monitor the website for Wayne County in the event that Applications become available sooner than anticipated – he also asked about our need to have LMI information for the Application from the 2020 Census in order to file a Grant Application – he asked if there were any questions or comments – none were offered
- he asked if Council wants him to proceed to file for a PEP Grant valued at \$1,000, he reported that we do not have a deadline date to submit this application by although he

recommended that we do so ASAP to make certain that they do not run out of available grant monies – if Council wants him to proceed, he needs to know what the use will be and it must be safety related – a discussion took place on possible uses of this grant

## Parks

Terry and Marti reporting:

- ❖ discussed Park rental fees and Marti shared information on how Creston charges for use of their Park in comparison to how Burbank charges – Marti suggested a fee that would be retained by the Village to support Park maintenance and improvements in addition to maintaining the \$50 Refundable Deposit if no clean-up is necessary after an event – discussions took place on having a calendar on the website as well as an Application for Park Pavilion rentals – by the end of the discussion a fee of \$10 for residents and \$20 for non-residents is being considered as well as allowing the Mayor to waive such fees for Community Events
- ❖ **Marti made a motion to approve issuing a Purchase Order in the amount of \$3,200 to John Walter to rewire the Park Stage, seconded by Anna. Vote: 5 ayes, 0 nays**
- ❖ Council asked if the PEP Grant could be used for the Park Stage electrical work – Gary stated that he will look into this and report back
- ❖ Mayor Wilkinson reported no update on the proposed Baseball field at the Old School Park
- ❖ Mayor Wilkinson is going to meet soon with a new company to obtain a bid on new security cameras for the Park
- ❖ Anna reported that she and Jay met with Berry at the Romich Foundation to discuss details for the Village Hall sign and that the Romich Foundation is going to build a prototype for review by Council, she also distributed a copy of the sign being considered

## Water & Sewer

Thomas and Anna had nothing to report.

## Streets

Jay had nothing to report.

- Gary read Allan's notes on the Countryside Law Suit reconfirming the trial date set for March 20<sup>th</sup> at 1:30 PM that David, Chris and Gary need to attend

## Zoning

Jay had nothing to report.

- ✚ Gary read Allan's notes and reported that for 141 Water Street a trial date has been set for March 10<sup>th</sup> at 9:00 AM and both Ben and the Wayne County Building Inspector need to be there as Village witnesses

- ✚ Gary read Allan's notes and reported that for 133 Water Street Allan is looking to apply for a reduction in property taxes and asked that Mayor Wilkinson sign the Application for Valuation Deduction form – Gary confirmed that Quality Excavating has hauled in clean fill now that all demolition and capping work has been completed – reported that they wanted to proceed to seed and straw the area, Gary inspected the site before this work proceeded and only permitted the seeding and strawing of a narrow band of the yard on the west side of the property near the neighboring house, reason, the contouring of the land was unacceptable due to being in a “mud” condition and the inability to properly “grade” the property – Gary stated that he is prepared to pay them for the asbestos removal and the other work completed to date in the amount of \$13,000 retaining \$4,000 (24%) for the work yet to be done – the contractor wants \$15,640 and a retention of \$1,360 (8%) – Gary stated that Council will need to decide how to proceed – **Jay made a motion to pay Quality Excavating \$14,000 and retain \$3,000 for work at 133 Water Street, seconded by Marti. Vote: 5 ayes, 0 nays** – a discussion took place on possible improvements at this site, FEMA limited allowances for work at this site and possible cost adders for the Village depending upon what is finalized – Terry suggested to Council that they look at the site for ideas on how to proceed – Gary stated that this should happen soon as he expects the Contractor to return during a break in the weather to finish the contracted work
- ✚ Gary read Allan's notes on 111 and 124 W. Middle Street properties with Zoning Violations – reported that the Wayne County Prosecutor needs the social security numbers and date of birth for the property owners before they can proceed with filing charges and Gary gave Marti the documents from Allan asking that this is now a Police matter and to have Chief Meshew obtain the necessary information – Marti took the forms and will communicate with the Chief and Allan
- ✚ Mayor Wilkinson asked about 23 Front Street and the reported missed lateral tie-in on the back of the property on Henrietta Street when the storm sewers were installed in 2019 and is out of warranty – Gary stated that the owner telescoped the line and reported that the lateral does exist and is 2' from the main sewer line – Gary sent an email to the installing contractor asking if they wanted to do the “dig” and he has not yet heard back so he will contact them in March – Gary asked Council to consider implementing a policy that if the Village does work on a reported incident such as this, and the dig reveals that no lateral line exists in the right-of-way that the property owner is then responsible to pay for the dig and any tie-in to the main storm sewer that the property owner wants to have installed – Council wants Allan to look into adding this language into our Code as well as requiring the property owner to pay for telescoping the line on any reported blockage or missed lateral before any such “dig” were to take place
- ✚ Terry reported that a possible missed lateral is also an issue for the Church at the south entrance to Henrietta Street at South Street – he confirmed that the Church will first need to telescope the line

New Business:

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, March 2<sup>nd</sup> at the start time of 7:00 PM
- ✓ confirmed that he deposited the \$105 for the January Traffic Fines and that he had also deposited the \$240 for the December Traffic Fines
- ✓ asked for **“a motion to approve adding Anna Dickson, Council President, as an authorized signer for our Bank and Investment accounts and removing Chris Norton as an approved signer, Marti said so moved, seconded by Jay.”** Vote: 5 ayes, 0 nays

Old Business:

Gary had nothing to report.

Public Comment:

- Cathy asked about logistics for the playground area that will be receiving the new playground equipment insofar as flowers, mulch, etc. and how the Event Committee would also like to have events in the Park this summer such as an ice-cream social, pot-luck meal, etc. – Mayor Wilkinson asked that he be notified about the next Event Committee so he can attend
- Marti asked about any insurance/safety requirements for a Christmas Parade that would also travel on Front Street/SR 83 – Gary stated that he will look into this and report back

**There being no further business to come before Council, Jay made a motion to adjourn at 8:20 PM, seconded by Terry. Vote; 5 ayes, 0 nays**

X

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

X

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