

**VILLAGE OF BURBANK
REGULAR MEETING, APRIL 7, 2022**

Mayor David Wilkinson, called the meeting to order at 8:22 PM.

A roll call was taken with the following officials present: Chris Norton, Ingram McCord, Terry Moore, Thomas Lenhoff, Marti McCord; also, in attendance: Allan Michelson – Solicitor, Gary Harris – Fiscal Officer and visitors Cathy Kopp and Anna Dickson, Officer Stephey.

Mayor Wilkinson welcomed our guests.

Terry made a motion to excuse Danuel Priebe and Ben Berger, seconded by Chris. Vote: 5 ayes, 0 nays

Minutes – March 3, 2022 Regular Meeting Minutes

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

Council Reports:

Safety

Marti and Ingram reporting:

- reported that Creston issued 14 citations in March and delivered the check for fines to the Fiscal Officer
- confirmed that Creston Police worked 95 hours in March – Gary responded that they were to only work 80 hours and that we cannot continue with running over on hours based on our budget for the year and he gave Marti a copy of the 2022 Budgeted Monthly Hours Report

Finance

Thomas & Terry reporting:

- read the April Paid Bills and the Automatic Deductions amounting to \$10,111.22 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 Chris. Vote - 5 ayes, 0 nays.**

Gary reporting:

- a discussion took place on the two options to generate additional revenue for the Village based on our escalating costs and critical infrastructure projects that need to continue – Council decided to conduct two Public Hearings on the consideration of a 1% Village Income Tax to allow the residents to ask questions while at the same time learning about the income

tax, how it works, how it will assist the Village in being able to conduct it's business and continue to offer Village services, etc. - the first meeting will take place on Monday, April 25th at 8:00 PM and the second meeting on Saturday, April 30th at 10:00 AM at Trinity Church located at 121 South Street in Burbank - a posting on FaceBook will be generated as will a flyer for distribution to all residents - Marti will contact Creston Police to have an Officer present at each meeting

- announced that we do have two Ordinances to vote on tonight, the first one (2022-03) is to Amend our Certificate of Estimated Resources adding the FEMA Grant, the second ARPA receipt, the PEP Grant and reducing the General Fund due to the Matching Fund that Burbank is responsible for on the FEMA Project at 133 Water Street - the second Ordinance (2022-04) is to Appropriate monies for the FEMA Grant for the 133 Water Street Property composed of \$91,671.30 in Grant funds and \$5,335.70 in Village Matching Funds (transferred out of the General Fund), increase the General Fund Appropriations by \$10,000 due to the FEMA Matching Fund transfer and to cover the potential increase in spending due to our rising costs, increase the ARPA funds for the second receipt of monies due this year in the amount of \$10,411.76 and add the \$1,000 PEP Grant Fund for the application we will be filing for to use to upgrade PARK playground equipment or the basketball court - he asked if there were any questions or comments - none were offered - he asked Allan to please do the first reading of Ordinance 2022-03
- Allan did the first reading of Ordinance 2022-03, "an Ordinance approving amending the Certificate of Estimated Resources for the General Fund, FEMA Grant Fund, the American Rescue Plan Fund and the PEP Safety Grant Fund 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 2022-03, seconded by Marti. Vote: 5 ayes, 0 nays**
- **Chris made a motion to adopt Ordinance 2022-03 as an emergency, seconded by Marti. Vote: 5 ayes, 0 nays**
- Allan did the first reading of Ordinance 2022-04, "an Ordinance approving amending the 2022 Appropriations 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 2022-04, seconded by Marti. Vote: 5 ayes, 0 nays**
- **Chris made a motion to adopt Ordinance 2022-04 as an emergency, seconded by Ingram. Vote: 5 ayes, 0 nays**
- confirmed that he distributed all of the necessary documents to Council to review the proposed 2023 Budget and that he needs Council input no later than May 31st if there are going to be any recommended changes and if no changes are recommended then the proposed Budget will become the 2023 Budget - he asked if there were any questions or comments - none were offered
- requested the priority for street repairs so he can begin obtaining quotes - Chris advised Gary that East and West Middle Streets along with Diagonal are in the most need of patching - Gary will proceed to obtain quotes with the intention of using ARPA monies for this work

Parks

Marti & Terry reporting:

- ❖ Mayor Wilkinson confirmed that he should be obtaining more information on the baseball field from Justin Cotton by the end of this month – Gary asked if he should pursue the Grant offered by the Cleveland Guardians and Mayor Wilkinson confirmed yes – Gary asked for Justin’s contact information as he needs information from Justin for the Grant Application – Mayor Wilkinson sent Gary a text with that information – Mayor Wilkinson stated that the Village may need to donate between \$5,000-\$6,000 towards the new ballfield to be located at the Old School Park – Gary raised concerns about being able to afford that much given the other Village work that is also under consideration
- ❖ Gary reviewed his findings after researching the list of 93 reported potential Grant sources as printed by Game Time – 75 were non-applicable for the type of Grant we are seeking, 15 are no longer accepting applications or are no longer active or don’t allow government entities from applying and 2 are ones we already use, those being ODNR and CDBG with another potential source through the Department of Agriculture who advised Gary that they only support infrastructure type of grants
- ❖ Gary confirmed that he sent all the bids to Council for the basketball court repairs with costs ranging from \$10,450 to \$2,830 – Council agreed to award the work to Mules Hauling who had the lowest bid – Terry asked what sealing material they are going to use as he has concerns that it must be of good quality – Gary stated that he will find that information out from the contractor and update the Park Chairpersons with that information – Terry also asked about installing a curb around the basketball court to prevent the encroachment of grass onto the court surface – Gary raised concerns about a trip hazard and suggested he modify the Mowing Contract to include edging the court during each mow and that there may be a cost adder in that contract for this work – Council was OK with this – Gary stated that we can use the PEP Safety Grant towards this work thus reducing the Village portion down to \$1,830 – he was advised to proceed
- ❖ Gary asked about the status of the playground equipment removal (as cited by the Insurance Inspector as needing replacement) as well as the bleachers – Marti reconfirmed that the Village will remove all this equipment and Gary stated that we don’t have much time as this needs to happen before the increase in Park attendance with the upcoming good weather and that we need to also haul-away what we remove to avoid injury should the removed equipment be left in the area – Marti confirmed that the equipment will be hauled-away as it is removed from service – Marti also reported that she is aware of someone needing to do Community Service as part of a court order and perhaps they could be used here – Gary asked if an accident waiver needs to be signed and Allan stated it is not needed for a “court appointed worker” – Marti suggested a meeting to discuss what other work could be done in the Park and then apply for an ODNR Grant – Gary suggested a public meeting to obtain input as well as a survey of all residents which

could then be used in the Grant Application reminding Council of the 25% Matching Fund requirement

- ❖ **Marti made a motion to proceed to apply for a Guardians Grant for the baseball field, seconded by Terry. Vote: 5 ayes, 0 nays**
- ❖ **Ingram made a motion to apply for an ODNR Grant for Park improvements, seconded by Terry. Vote: 5 ayes, 0 nays**
- ❖ it was reported that there has been some vandalism in the Park where they broke into the kitchen and threw paint on some of the picnic tables

Water & Sewer

Thomas & Ingram had nothing to report.

Streets

Chris reporting:

- a discussion took place about the continuing invoicing by Countryside Lawn Care for work they feel is still needed to be paid for – Gary confirmed that he spoke with Mr. Garmin directly on this and that the Village does not owe his company any additional monies and he confirmed that he also sent him an email with this same information – Allan advised Gary to disregard such emails and consider them a nuisance
- Marti reported that she still has not been contacted by the Creston Street Department, after placing several calls to them, to see if they are interested in bidding any street work in Burbank – it was decided to move on and not pursue this with Creston

Zoning

Chris had nothing to report.

- o Allan confirmed that for 141 Water Street a pre-trial hearing is scheduled for May 2nd and that he wants to have an inspection with all parties, including the Wayne County Building Department which will cost the Village \$50.50 for the Permit to inspect – Council advised him to proceed
- o Allan confirmed that he and Gary met today with FEMA, via Zoom Meeting, to discuss the Grant for 133 Water Street and gave a brief overview of that meeting and the work that will be involved – Allan stated that the next step is for him to contact an Appraiser to have the property appraised before he begins negotiations with the current owner of the property – Allan also confirmed that his time and Gary’s time will be charged against the project and will count as a portion of the Village Matching Funds that are part of the FEMA agreement – Gary confirmed that the cash portion of Village Matching Funds was contained in the legislation passed tonight in the amount of \$5,335.70 – Gary asked for **“a motion to authorize the Solicitor and the Contracts and Grant Administrator to proceed with the FEMA Grant work at 133 Water Street**

and to process all necessary paperwork, payments and work required by this Grant, Chris stated so moved, seconded by Marti. Vote: 5 ayes, 0 nays”

- o Allan are reported that he is waiting on Ben for to write-up the “Notices” on the 111 and 124 W. Middle Street and 215 E. Middle Street Zoning Violations before he can submit the information to the Wayne County Prosecutor for action – Allan will follow-up with Ben
- o Marti confirmed that Mayor Hall, in Creston, prefers to not hear the Zoning cases from Burbank in Creston Mayor’s Court
- o Gary reported that he delivered all of the bids to Council for the Culvert Area Repair work on E. Middle Street and the costs ranged from \$5,500 down to \$3,795 – Council decided to award Mules Hauling who had the most competitive bid – Gary reminded Council that the Village will be purchasing the concrete Yard Blocks and that cost will be an additional \$1,200 unless lower pricing is offered by the company that Chris works for
- o Gary reported that with his now being asked to generate the Grant Applications and all that is involved he requested a **“motion from Council to activate the full value of his compensation as the Contract and Grant Administrator at the rate of \$600 per month, Marti stated so moved, seconded by Ingram. Vote: 5 ayes, 0 nays”**

New Business:

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, May 5th at 8:00 PM
- ✓ confirmed that he deposited the \$502.00 for February Traffic Fines and that he will also deposit the \$596 that received tonight for the March Traffic Fines
- ✓ asked Thomas to make the one outstanding correction still needed on the Village website under Monthly Meetings
- ✓ asked if we need a port-a-jon in the Park this year, Mayor Wilkinson stated yes, one in the Park on W. Middle Street and one near the ballpark on South Street once it is finished – Marti to call and schedule the one for the Park on W. Middle and she will report the cost per month to Gary
- ✓ confirmed receiving and depositing the payment received from the trucking company in the amount of \$1,530 for the damage caused to our street signs

Old Business:

Gary had nothing to report

Public Comment:

Nothing offered

There being no further business to come before Council, Chris made a motion to adjourn at 9:58 PM, seconded by Marti. Vote; 5 ayes, 0 nays

X

Mayor, David Wilkinson

X

Fiscal Officer, Gary Harris