

**VILLAGE OF BURBANK
REGULAR MEETING, JUNE 6, 2024**

Mayor Dickson, called the meeting to order at 7:30 PM.

A roll call was taken with the following officials present: Chris Norton, Ingram McCord, Terry Moore, Jay Byler, Thomas Lenhoff, Marti McCord; also, in attendance: Gary Harris – Fiscal Officer and visitors Michael Graves and Officer Black

Mayor Dickson welcomed our guests and announced that the meeting is being taped and requested that all questions and comments from the public be delayed until the Public Participation segment near the end of the meeting

Minutes – May 2, 2024 Regular Meeting Minutes

Chris made a Motion to approve as submitted the May Regular Meeting Minutes, seconded by Jay. Vote; 6 ayes, 0 nays

Council Reports:

Safety

Marti reporting:

- reported a total of 4 Traffic Citations for May, all of which went to Mayor’s Court in Creston and she delivered a check in the amount of \$360 for traffic citations
- a discussion took place about the Radar Speed Detectors and Gary reported that the two radar speed detectors have arrived and are at Village Hall – a discussion took place about these units and Gary offered to assist in the opening of the containers to verify that all components are present and he recommended that two people do the inspection to cut down on time – three locations were identified to install posts for these mobile units and Gary asked which style of post to order, round or rectangular – Chris said he will get back to Gary on these matters – Gary stated that he is checking with ODOT to see if they would install the unit on SR 83 within Village limits and he will advise Council once he hears back

Finance

Terry reporting:

- read the May Paid Bills and the Automatic Deductions amounting to \$17,446.45 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 Marti. Vote - 6 ayes, 0 nays.**

Gary reporting:

- confirmed that thus far there has been no input from Council for any changes to the 2025 Budget – he will advertise for a Notice of Public Hearing for the 2025 Budget to take place at the start of the July meeting unless there are any objections by Council and Council will need to be ready to pass an Ordinance for the 2025 Budget requiring no less than five members present at the meeting – he asked if there were any questions or comments – none were offered
- confirmed that all work on the CDBG project was completed yesterday, June 5th – the last of the concrete was poured on June 4th – it is recommended that no vehicle traffic cross onto this concrete for seven days to allow time for adequate curing – we will be receiving an invoice for additional work in two locations along Front Street totaling \$800 or less – reported that he will have them make one change that was requested before the concrete was poured and that request was not transmitted to the workers so they will cut a section of the sidewalk out to run a drain line under it from the wall area so it drains into the street and not the driveway - he asked if there were any questions or comments – Terry asked about the retaining wall and if it is complete – Gary responded that this will be another item added to the Punch List as Engineering Associates has an issue with the wall – Chris stated that a joint seal needs to be added in a few places on the streets that intersect the new sidewalk – Mayor Dickson asked to be notified when the walk through inspection is taking place as she may want to participate
- OPWC Grant for the Diagonal Road Project – on May 29th Gary reported updating Council via email pertaining to the meeting that he had with Columbia Gas and Engineering Associates – as a result of that meeting, Columbia Gas will be relocating the gas line on Diagonal Road due to a conflict with separation distances between utilities – Diagonal Road will be closed during this time and residents will still have access to their driveways – the gas line work will delay the start-up of the storm sewer replacement project until mid-August – he also reported that due to the construction bid being nearly \$105,000 under allowed, he estimates that our matching fund requirements will decrease by nearly \$22,000 and our loan amount may also be reduced by \$18,500 for an overall reduction in costs to the Village of \$40,500 – he will update Council once OPWC finalizes the Grant and Loan documentation – he asked if there were any questions or comments – none were offered – he stated that tonight we need to Vote on Ordinance 2024-03 accepting the Dirt Dawg Bid for the Diagonal Road Project and he asked if he can proceed with the first reading of this Ordinance – Mayor Dickson stated “proceed”
- Gary did the first reading of Ordinance 2024-03, an Ordinance accepting the bid of Dirt Dawg Excavating, LLC, for the Village’s Diagonal Road

Improvement Project, authorizing the execution of a contract for the same, and declaring the same an emergency

- **Chris made a motion waiving the 2nd and 3rd readings of Ordinance 2024-03, seconded by Marti. Vote: 6 ayes, 0 nays**
- **Ingram made a motion to accept Ordinance 2024-03 as an emergency, seconded by Chris. Vote: 6 ayes, 0 nays**
- confirmed that he had planned to report to Council tonight about our financial status and if the Village can afford to file for Phase V on our infrastructure work, that being E. Middle Street but he will now delay this until the July meeting as by that time he should receive and be able to determine the final OPWC impact on our finances

Parks

Ingram had nothing to report.

- ❖ Gary confirmed he has been in contact with Homestead multiple times in May and now in June about replacing the roof on the West Pavilion in the Park as approved by Council at last month's meeting - this morning we did receive the majority of revisions/clarifications that we needed in order to be able to issue a Purchase Order - he did incorporate one section of language that Homestead did not have in their final revision document and told them to respond if they disagreed with the added language by 3:00 PM otherwise, he will have the understanding that they do agree with the additional language to be incorporated into the Purchase Order as Addendum 1 - as he did not hear back by 3:00 today, he has the purchase order and addendum ready for signature by Council with a not to exceed date of July 17th for the completion of this project - Gary stated that before the Purchase Order is signed, he is going to distribute the Park Appropriation Report which raised concerns about proceeding with the roof this year - he cautioned Council that if they do the roof this year, they cannot spend anything else on the Park for the balance of 2024 and for 2025 they are only going to have \$14,000 available for the year (and this money is not all available January 1 of each year - it is received over the course of 8-9 months) of which \$7,600 is estimated for mowing in 2025 leaving \$6,400 for any repairs - he asked them do you still want to do the roof - **Ingram made a motion to postpone the Pavilion Roof replacement project until 2025, seconded by Jay. Vote: 6 ayes, 0 nays**
- ❖ Jay reported that he found a flag pole for \$279 - **Terry made a motion to appropriate up to \$300 to purchase the flag pole, freight included, seconded by Jay. Vote: 6 ayes, 0 nays**
- ❖ Jay reported that he found a source for new flags - **Jay made a motion to appropriate up to \$125 to purchase 3 ea. 3'x5' flags, seconded by Marti. Vote: 6 ayes, 0 nays**
- ❖ a discussion took place about hydraulic fluid stains on the sidewalk and parking lot in the Park caused when a hydraulic line on the rented utility loader used to move the mulch sprang a leak and Gary said he will hold payment for the rental until resolved - Ingram to call the rental company about "how to fix the problem" and Gary was instructed to release the payment

Water & Sewer

Thomas had nothing to report.

Streets

Chris reporting:

- will revisit the status of signage at next month's meeting
- confirmed that he has marked the pot-holes needing repair, 11 on W. Middle Street and 24 on E. Middle Street - Gary to obtain bid pricing

Zoning

Jay had nothing to report.

- ✚ Marti reported that the property owner of 111 W. Middle failed to appear in Court and has been issued a second Subpoena to appear on July 1st - if the owner fails to appear it will then be transferred to Wayne County
- ✚ Gary reported giving Ben's wife the Orders to Correct for 54 Front Street, 123 Mill Street and 130 E. Middle Street needing Ben's signature and then serving the property owners and/or tenants
- ✚ Gary reported also giving Ben's wife the Summons for 12 Front Street that he also needs to sign
- ✚ Terry to report back on the pine tree removal at the Old School Park
- ✚ Terry asked for a review of the burning pit dimensions that are allowed for the Village and that we need Allan's input

New Business:

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, July 11th at the start time of 7:30 PM
- ✓ confirmed that he deposited the \$107 for the April Traffic Fines and that he has received a check for \$360 for the May traffic citations
- ✓ 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
- ✓ the Mayor asked him to get bids to remove the stumps left after Ben removed the six bushes along the driveway leading down into the Park - he contacted two companies, one recommended by the Mayor, and received pricing from one of the companies - the one price that he has is for \$150 to remove all six - Gary asked for a **Motion authorizing the Contracts & Grant Administrator to issue a PO to J&M Stump Removal to remove the six stumps at a cost of \$150, so moved by Ingram, seconded by Jay**
- ✓ at the end of last month's meeting Gary reported that he was approached by the resident at 15 Front Street about a "plugged" basement drain line that is

reportedly plugged in the ROW – she provided him a video of the line being tv’d but it was inconclusive when Engineering Associates (EA) and Gary reviewed the video other than the line being full of roots and water – EA and I agree that we need to re-video that line, Gary also spoke with Allan about this insofar as level of responsibility and he also agrees that we need to re-video the line – this same line was repaired in 2017 after Clear Drain videoed the line and the repair in the ROW was completed – Gary confirms contacting that same company and they can, as they did in 2017, clear the line of roots and video the line to confirm the location of the blockage – if in the ROW it is our responsibility to correct – the plumber who did the first video stated that the blockage is in the ROW and now we need to reconfirm unless Council wants to not confirm location and just proceed with the repair – NOTE – our initial plan is to reroute the drain line to the storm sewer manhole versus repairing the blockage where it was reported to be in the middle of SR 83 – costs involved are \$200 for the first hour and then billed in half hour increments at \$100 + \$70 trip charge this includes all equipment needed to video the line, cut roots, etc. – Gary also contacted Dynamerican and they apply different rates to tasks they might need to do such as jetting the line and using the camera at rates of \$375/hour to jet (clear the roots) + \$100/half hour, camera the line at \$220/hour + \$80/ half hour – Gary recommended Clear Drain –the home owner is going back to her Plumber to re-video the line but this time remove the roots and get a good view of the blockage - if we re-video the line, can ask that the property owner to agree to pay the portion of costs for the section that is on private property i.e. if the total run is 60’ and private property is 20’, in this example, the homeowner would owe 30% of the cost to camera and clear the line – if the homeowner disagrees, as we have done with another resident, we lien the property – Gary asked Council how they want to proceed – Chris said let’s wait for the original plumbers re-videoing of the line and in the meantime, get bids to tie the drain line into the catch basin near the intersection of SR 83 and to also get a price to connect to the storm sewer where the manhole is located on the south side of Water Street at SR 83

- ✓ Gary reported that Allan revised the language in Section 2.3 of the Open Records Policy stating that “public records can be available for inspection by “appointment” – it use to read “during regular business hours” which we don’t have because we are all part-time workers and he also clarified other language in this section which Gary offered to read to Council if so desired – no such request was made – Gary asked for a **“motion approving the Solicitor to make the changes to Section 2.3 of the Open Records Policy”, so moved by Ingram, seconded by Marti. Vote: 6 ayes, 0 nays**
- ✓ reported that last month Jay suggested repealing Section 108 of the Zoning Ordinance dealing with swimming pools – does Council want to discuss this – does Council want the First Reading of Ordinance 2024-04 as prepared by Allan – Council asked Gary to do the first reading of Ordinance 2024-04, an

Ordinance repealing Section 308, Swimming Pools of the Village Zoning Ordinance 2004-10

- ✓ **Jay made a motion to waive the 2nd and 3rd readings of Ordinance 2024-04, seconded by Marti. Vote: 6 ayes, 0 nay**
- ✓ **Jay made a motion to adopt Ordinance 2024-04, seconded by Marti. Vote: 5 ayes, 1 nay**
- ✓ suggested setting the Records Commission Meeting before the start of the July Council meeting starting at 7:20 pm unless Council disagrees - no disagreements were raised

Old Business:

Gary had nothing to report.

Public Comment:

- Mr. Graves expressed his appreciation for moving forward on the Zoning violations but raised several concerns about Village street signs not meeting the standards established by MUTCD (Manual of Uniform Traffic Control Devices) as published by the State of Ohio, how this is a liability for the Village and that he plans to contact our insurance carrier to report this problem - took exception to changing Village codes to accommodate others in the Village, why no violations for unkept Village alleyways, the lack of signs for parking, etc.

There being no further business to come before Council, Jay made a motion to adjourn at 9:07 PM, seconded by Marti. Vote; 6 ayes, 0 nays

X

Mayor, Anna Dickson

X

Fiscal Officer, Gary Harris