

VILLAGE OF BURBANK
REGULAR MEETING: AUGUST 4, 2015

Mayor Carolyn Dibler called the meeting to order at 7:03 PM.

A roll call was taken with the following officials present: Dennis Rigerman, Ben Berger, Chris Letzelter, Tracy Lenhoff and Gary Gallion. Also in attendance: Allan Michelson – Solicitor, Gary Harris – Fiscal Officer; James Brandenburg – Zoning Inspector, residents Ken Dibler, Lori Menk and Leo Rowe.

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

Chris made a motion to excuse Jason Balyer and Ben Berger from the July 14, 2015 Council Meeting, seconded by Gary. 5 ayes, 0 nays

No motion was offered to excuse Jason Balyer from the August 4, 2015 meeting.

Minutes – July 14, 2015 Regular Meeting

Gary made a motion to waive the reading of the Minutes, Second Revision and to approve the Minutes, Second Revision as submitted, seconded by Chris. 5 ayes, 0 nays

Committee Reports:

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

Council Reports:

Safety

Tracy and Gary reporting:

- Reported that the new schedule sent by Chief Meshew to Tracy could not be opened; Gary offered to open, and distribute, the report in its PDF format

Finance

Tracy and Gary reporting:

- Tracy read the Bills to be Paid and the Automatic Deductions amounting to \$3,053.95. **Tracy made the motion to pay the bills, seconded by Gary. 4 ayes, 0 nays.**
- The Fiscal Officer asked Allan to do the second reading on Resolution 2015-01 (Police) and 2015-02 (Park); Allan did the second reading of both Resolutions declaring it necessary to levy a tax (for Police and Parks) in excess of the ten mill limitation

- **Chris made a motion to waive the third reading of Resolution 2015-01, seconded by Dennis. 5 ayes, 0 nays**
- **Gary made a motion to adopt Resolution 2015-01 as an emergency, seconded by Tracy. 5 ayes, 0 nays**
- **Chris made a motion to waive the third reading of Resolution 2015-02, seconded by Ben. 5 ayes, 0 nays**
- **Gary made a motion to adopt Resolution 2015-02 as an emergency, seconded by Tracy. 5 ayes, 0 nays**
- The Fiscal Officer requested if Council does want to form an Audit Committee based on the hand-out he distributed at June's meeting; he re-confirmed that this recommendation is not a necessity but that it does allow for immediate release of payments thereby avoiding the potential for any late payments caused by the rescheduling of Council Meetings; Council asked more questions and it was decided that the Fiscal Officer will contact West Salem to have their Clerk Treasurer review the write-up generated by Burbank's Fiscal Officer, for review and comment

Parks

Dennis reporting:

- Confirmed that Jason will forward an updated contract price and a W-9 from the Contractor bidding the work in the Parks, to the Fiscal Officer for his review
- Confirmed that Parks will schedule the removal of the port-a-jon in September
- Leo Rowe reported that vandals pulled out the security stake for one of the park benches and threw the bench into the creek as well as turning-over the port-a-jon; Leo contacted Jason and Leo using his truck, hoisted and removed the bench from the creek; Mayor Dibler thanked Leo for his help and assistance in this matter
- A discussion about how the park gate was, at one time, closed and locked every night and then re-opened each morning; no agreement was made to reinstitute this program
- Lori Menk asked about obtaining security cameras for the park; Ken Dibler commented that high-resolution cameras were too expensive when last investigated; the Fiscal Officer stated that if the Park Levy passes as a replacement, perhaps these anticipated increased revenues could be used to purchase such a system
- Gary and Mayor Dibler thanked all Village residents who participated in the Park Community Work Day and volunteered their services in cleaning-up the Village Park and for the excellent job that they did
- Lori Menk asked about the basketball posts and nets; Dennis confirmed that this is one of the tasks listed in the scope of work to be done by the

Contractor; Ms. Menk also offered to fix/repair one playground piece of equipment; the Fiscal Officer stated that any work had to meet the specification requirements otherwise it would not pass inspection and a liability for the Village would remain; the Fiscal Officer also reminded her that all workers need to sign a release at which time she submitted a signature sheet releasing the Village from liability; Allan reviewed the release and approved it for retention by the Fiscal Officer; Dennis is working with Ms. Menk in helping her to obtain a copy of the specification

Water & Sewer

Dennis had nothing to report.

Streets

Chris and Ben reporting:

- ❖ Confirmed contacting Ms. Donna Kirkbride with the Ohio Public Works Commission about the desire of Burbank to obtain funding/grants to assist with street and storm sewer repairs; confirmed that they will copy the Fiscal Officer upon receipt of additional information for his review and input
- ❖ Confirmed that they are contacting a contractor to obtain pricing on doing some culvert drain repair work
- ❖ Confirmed that additional hot-patch work will be done on West and East Middle Street; Henrietta Street has been identified as a priority for major road work and that all storm drains need repair/replacement before any major street repairs are done so as to avoid tearing-up streets that have been repaired that then need storm sewer repairs to the 50-75 year old storm sewers in the Village

Zoning

- ✓ Jim read the Zoning Report; he confirmed sending a letter to the property owner of 118 W. Middle Street but he has not heard back on the matter of compensation for Dan Wiley who is mowing this property; Jim stated that he may need to send a certified letter on this matter
- ✓ Confirmed that the property located at 121 South Street continues to be broken into and that it needs to be boarded-up once again; Fiscal Officer asked if a heavier duty board can be used to avoid the continuing vandalism at this property and Jim confirmed that a ¾" CDX would probably work
- ✓ **Chris made a motion to approve up to an additional \$500 for plywood and materials to board-up the property at 121 South Street, seconded by Tracy. 5 ayes, 0 nays**
- ✓ A discussion took place about this property and options available to get some action going on this property that continues to be a problem for the Village;

Allan stated that he sent a letter to the Wayne County prosecutor to expedite a Tax Sale of this property that is \$13,000 in arrears and that it might help if Mayor Dibler also calls the prosecutor to help expedite this matter and Mayor Dibler agreed to do so; Allan also stated that if the property fails to sell after two Tax Sales attempts the Village will acquire the property as a forfeiture which can then clear the way for demolishing; Ben also confirmed that the property has a \$10,000 sewer tax liability and he understood that back taxes amount to \$16,000

- ✓ Council requested Allan to issue a letter to the owner of 121 South Street requesting the garage to be demolished as this is where most of the vandalism is occurring

New Business:

Gary Harris reporting:

- ✚ Confirmed that our next Council Meeting is September 8th
- ✚ Confirmed that Vince Crawford from Waste Management will be at our next meeting to provide updates and answer any questions; confirmed that the current contract expires February 28, 2016; Leo Rowe voiced concern about the Village being charged to empty the park dumpster and the Fiscal Officer confirmed that there is no charge for this service; Ms. Menk voiced displeasure about a missed pick-up of trash and how nothing was done to compensate homeowners; the Fiscal Officer suggested that she attend the next meeting to address this issue with Waste Management
- ✚ Mentioned to Street Chairs that they begin thinking about the contractor for snow plowing based on some documentation issues that the Village had during the contract period just completed and the possible need to consider another company
- ✚ Requested a motion to be introduced revising the Rules of Council pertaining to the official sites where Ordinances/Resolutions are posted
- ✚ **Gary made a motion to have Allan revise the Rules of Council dropping Furbank and adding Burbank Parke as the fifth posting site for Ordinances/Resolutions, seconded by Ben. 5 ayes, 0 nays**
- ✚ Discussed the e-mail and attachment sent to all Village government officials entitled Electronic Devices, Ohio Public Records and Open Meeting Act as published in the May/June issue of Cities & Villages and the responsibility/liability that all officials have for any and all government business conducted over an electronic device
- ✚ Allan stated that he will be out of town on September 8th and requested that he be excused
- ✚ **Chris made a motion to excuse Allan on September 8th, seconded by Ben. 5 ayes, 0 nays**

- ✚ Tracy requested the Village to consider purchasing a new and quieter air conditioner for Village Hall; Jim offered to assist in taking measurements and obtaining pricing on a replacement unit that would also have a winter cover; information to be presented at the next meeting

Old Business:

Gary Harris reporting:

- Confirmed that he added the Mayor and Council President to the list of government officials able to access the Ohio Checkbook website in advance of the release to the public; they both confirmed that they have access and have looked at the site; Fiscal Officer confirmed that the rest of Village government will soon be added followed thereafter with public access

Public Participation:

- o Ms. Menk stated that the Village Park was fun for children and that she would like to see the park be used by more residents

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

X

Mayor, Carolyn Dibler

X

Fiscal Officer, Gary Harris