

**VILLAGE OF BURBANK  
REGULAR MEETING, SEPTEMBER 6, 2018**

Mayor Carolyn Dibler called the meeting to order at 7:34 PM.

A roll call was taken with the following officials present: Dennis Rigerman, Ken Dibler, Tracy Lenhoff and Lori Menk. Also in attendance: Allan Michelson - Solicitor; Gary Harris - Fiscal Officer, residents David Wilkinson and Cathy Kopp and visitor Bob Morehead with The Post.

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

**Lori made a motion to excuse Chris Norton and Ben Berger, seconded by Tracy. 4 ayes, 0 nays**

Minutes - August 2, 2018 Regular Meeting

**Ken made a motion to waive the reading of the Minutes and to approve the Minutes as submitted, seconded by Tracy. 4 ayes, 0 nays**

Committee Reports:

Finance, Parks, Safety, Streets, Water/Sewer and Zoning - nothing to report

David Wilkinson offered to become a member of Council; **Tracy made a motion to appoint David Wilkinson to the seat vacated by Jeffrey McCaffrey, seconded by Lori. 4 ayes, 0 nays**

Mayor Dibler appointed David to fill the seat vacated by Jeffrey McCaffrey effective immediately. Solicitor Allan Michelson swore in David and David took his seat at Council.

Council Reports:

Safety

Lori and Tracy reporting:

- Lori read the August Police Report
- Tracy asked about the dead tree located in the right-of-way at 20 Depot Street; Allan confirmed that this is the responsibility of the Village and Mayor Dibler offered to have a tree removal company she is going to use for some tree work in her yard to have them provide a quote to the Village for this tree removal

Finance

Tracy and Ken reporting:

- Tracy read the Paid Bills and the Automatic Deductions amounting to \$11,573.93. **Tracy made the motion to accept these payments, seconded by Ken. 5 ayes, 0 nays.**

Gary reporting:

- Small Government –he confirmed that he has issued the Purchase Order to Engineering Associates for the preliminary and final engineering design for storm sewer improvements on Henrietta and Hower Streets; he confirmed that the preliminary engineering is completed and that they are beginning the final design work that has a specified completion date of January 2<sup>nd</sup>, or sooner and he reported that they should be done a month or two ahead of this required date; he also stated that he sent Allan a message and sketch from the engineer about possible right-of-way issues on Henrietta and Hower – Allan stated that he will look into this matter and talk with Engineering Associates once he completes his review of the situation; Gary reminded him that the engineer cannot proceed with the final design at these two locations until advised by Allan – Gary asked if there were any questions or comments – none were offered
- Block Grant update – he confirmed that Mid-Ohio Concrete is slightly over 50% completed on the sidewalks on Depot and W. Middle Streets and that per a discussion he had with our on-site construction supervisor, Mr. Charlie Long, he estimated that they will be very near completion by the end of next week since no major tree issues appear to exist on the remaining work – he asked if there were any questions or comment; Lori asked about backfill and replanting grasses where disturbed by the construction and Gary confirmed that that is the responsibility of the contractor before leaving the site; Dennis made a comment that he observed a drain tile from a roof discharging into the new construction at 14 Depot Street– Mayor Dibler stated that she will contact Zoning Inspector Berger to have the owner divert the water away from this area and the suggestion was made that the home owner consider diverting it to Killbuck Creek that is located behind this home – Gary asked if there were any other questions or comments, none were offered
- Nature Works Grant – he confirmed that per an e-mail he received from ODNR today, they are targeting announcing Grant awards by the end of October – he asked if there were any questions or comments – none were offered
- New OPWC & CDBG Grant Applications – he confirmed that today he sent out options on filing these applications for grants to remove and replace all sidewalks along Front Street with new ADA compliant sidewalks and the options dealt with adding sidewalks where they don't exist on Front Street or only replacing existing sidewalks – any questions or discussion or review needed on the option document; several questions were raised by Council about the sidewalks – it was decided to replace those that currently exist except on the East side of Front Street Council wanted to extend the existing sidewalk approximately 10' at the southern most current termination point; the reason to not extend the sidewalks was due to vast open areas between homes on the Southern Village limits; he also confirmed the reason why the

OPWC application came up now and not next year is that awards are issued in July by OPWC the year following the year that the application is filed thus, if we waited to file until next year and with not receiving approval, if awarded the grant, until July of 2020 this would be too late to coordinate the timing of our work with ODOT who is scheduled to pave Front Street in 2020; we need approval in July of 2019 so we can complete our construction work in the Spring of 2020 and ODOT follows our work thus avoiding our “tearing-up” Front Street after it has been repaved to install new storm sewers and replace sidewalks; he explained that the Village can use the ODOT costs to apply as our Matching Fund for the Grant which means no added costs to the Village for this OPWC Grant; he also asked Council to consider filing a CDBG Grant Application next year (2019) in order that he can include this on the OPWC application and it may assist in points scoring and the hopeful award of both the OPWC and CDBG Grants; the deadline for filing the OPWC Grant is next Wednesday (September 12<sup>th</sup>) so Council needs to make these decisions tonight and vote on legislation tonight as well - he asked if there were any questions or comments - nothing was offered

- Allan did the first reading of Resolution R2018-06 “A Resolution authorizing Carolyn Dibler, Mayor, to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs and to execute contracts as required”
- **Dennis issued a motion to waive the second and third readings of Resolution R2018-06, seconded by Lori. 5 ayes, 0 nays**
- **Dennis made a motion to adopt Resolution R2018-06 as an emergency, seconded by Tracy. 5 ayes, 0 nays**
- Gary explained that because this is being done in such short order he needs to ask Council to consider added flexibility in how he generates the application for OPWC - to better position Burbank, he may decide that the Village needs to add some Loan monies into the application to help in “points” - if Council is OK with this and to avoid a last minute Special Meeting next week - he asked for **a motion authorizing the Fiscal Officer to determine the best approach including a 0% interest loan, if needed and with no significant negative impact to Village finances all factors considered, to better position the Village for winning this grant; motion so moved by Dennis, seconded by Tracy. 5 ayes, 0 nays**
- stated that next week he will need to have Carolyn sign the application and then he will need someone to represent the Village at the Committee Meeting being held on September 20<sup>th</sup> as he will be out of town at that time, and he confirmed that Engineering Associates will be present to discuss any design/construction questions that may arise; Lori offered to represent the Village at that meeting and Carolyn stated that if she can get off work in time she will also be present
- stated that we need to vote on the annual Resolution accepting the estimated 2019 Tax Levies and the collection of such levies

- Allan did the first reading of Resolution R2018-07 “A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor”
- **Dennis made a motion to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Resolution R2018-07, seconded by Tracy. 5 ayes, 0 nays**
- **Dennis made a motion to adopt Resolution R2018-07, seconded by Tracy. 5 ayes, 0 nays**
- stated that Council also needs to vote to add the revenue and appropriations to the 2018 Budget for the OPWC Grant that was awarded to the Village for the work on Henrietta and Hower Streets
- Allan did the first reading of Ordinance 2018-07 “An Ordinance approving amending the certificate of estimated resources and declaring same as an emergency”
- **Lori made a motion to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance 2018-07, seconded by Ken. 5 ayes, 0 nays**
- **Lori made a motion to adopt Ordinance 2018-07 as an emergency, seconded by Tracy. 5 ayes, 0 nays**
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- asked Allan about the Hazard Mitigation Plan Resolution R2018-08; **Mayor Dibler stated that she would investigate** the details and report back to Council at the next meeting
- asked Allan if there were any updates on delinquent property taxes and Allan reported that there are no changes from last month; Allan confirmed that he did contact the Auditor’s office and was advised that the property located at 118 W. Middle Street would be going up for auction late September or early October

## Parks

Dennis reporting:

- asked Council to confirm when he should schedule the port-a-jon to be removed from the Park for the season; after some brief discussion, Council recommended to remove the unit by the 28<sup>th</sup> of September or that last weekend
- confirmed that he is waiting on the estimate from Dan’s Home Maintenance to re-establish electricity in the Park
- reported seeing two trees that have fallen over in the Park on the North side of the Park that need to be removed; Ken reported vines across power lines in the Park behind the baseball diamond that also need to be removed and Lori reported vegetation on both sides of the bridge that need to be removed; Gary stated that he will obtain a quote from AJ Tree Service for this work as well as estimating the dead tree on Depot Street
- Cathy Kopp reported that the POW Flagpole in the Park is broken and Lori offered to remove the pole

## Water & Sewer

Dennis and Ken had nothing to report.

## Streets

Lori reporting:

- o confirmed that no priorities have yet been set for needed street repairs
- o requested a status update from Gary about signs and the possibility of obtaining them from the Wayne County Highway Department; Gary confirmed that he contacted ODOT today and is waiting for a call back from Scott Lucas
- o confirmed that she has no information about the scheduling of the storm sewer jetting near the intersection of E. Middle and Henrietta; Carolyn offered to follow-up with Chris on this matter

## Zoning

David had nothing to report.

- ❖ Allan did the third reading of Ordinance 2018-05 “An Ordinance of the Village of Burbank, Ohio amending the Village Zoning Code, Ordinance No. 2004-10 and its amendments, in order to change the regulations with regard to swimming pools, the permit requirement for small accessory buildings, and the maintenance and cleaning of sidewalks in the Village, and the keeping of small livestock in the Village”
- ❖ a discussion took place about sidewalk maintenance as relates to the existing sidewalks in the Village; Council and decided to have Allan revise the section of sidewalk maintenance homeowner responsibility to apply only to new sidewalks installed after August 31, 2018
- ❖ **Ken made a motion to adopt Ordinance 2018-05, seconded by Dennis. 5 ayes, 0 nays**

## New Business:

Gary Harris reporting:

- ✓ confirmed the next Council meeting will be Thursday, October 4, 2018 at 7:00 PM
- ✓ confirmed depositing \$648 for June Traffic Fines and \$473.50 for July Traffic Fines
- ✓ reminded Council that he will be out of town from September 15<sup>th</sup> through September 28<sup>th</sup>
- ✓ asked Council if they wanted him to solicit new bids for plowing and salting this year or go back to last year’s contractor (Barren Management dba AAA Lawncare) for a one or two-year contract; Council asked him to go to Barren Management and see if they will bid on a one or two-year contract

Old Business:

Gary Harris reporting:

- ✚ confirmed that he issued a Purchase Order to Most Paving on 8/29/18 to repair the road collapse on E. Middle Street at the Village limits and that he contacted the contractor today and he is waiting for an update
- ✚ Allan did the second reading of Resolution R2018-04 - "A Resolution to approve the Stark-Tuscarawas-Wayne Joint Waste Management District's Amended Draft Solid Waste Management Plan"
- ✚ **Lori made a motion to waive the 3<sup>rd</sup> reading of Resolution R2018-04, seconded by Dennis. 5 ayes, 0 nays**
- ✚ **Lori made a motion to adopt Resolution R2018-04, seconded by Tracy. 5 ayes, 0 nays**

Public Participation:

- Cathy Kopp asked about the VA Service request to hang banners on Village poles; Mayor Dibler confirmed trying to contact the representative three times to come out to determine where to hang the banners but with no response from that contact

**There being no further business to come before Council, Lori made a motion to adjourn at 9:16 PM, seconded by Tracy. Unanimous.**

X

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Mayor, Carolyn Dibler

X

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Fiscal Officer, Gary Harris