

**VILLAGE OF BURBANK
REGULAR MEETING, FEBRUARY 4, 2021**

NOTE - DUE TO COVID-19, THIS MEETING WAS HELD VIA ZOOM MEETINGS

Mayor Carolyn Dibler, called the meeting to order at 8:13 PM.

A roll call was taken with the following officials present: Chris Norton, Dennis Rigerman, Ken Dibler, Thomas Lenhoff, David Wilkinson; also in attendance: Allan Michelson - Solicitor and Gary Harris - Fiscal Officer

Minutes - January 7th Organizational & Regular Meeting and January 29th Special Meeting Minutes

Dennis announced himself and made a motion to waive the readings and to approve the submitted January Organizational & Regular Meeting Minutes as well as the January 29th Special Meeting Minutes as submitted, seconded by Ken who announced himself. Roll-call vote; Chris - aye, Dennis - aye, Ken - aye, Thomas - aye, David - aye.

Council Reports:

Safety

Ken and Thomas reporting:

- read the January Sheriff's Report; Mayor Dibler expressed concerns about the hours worked and the minimal activities and how to resolve - Gary made the recommendation that the Mayor have a one-on-one call with the Sheriff to express her concerns and to see what he can offer or say to help both parties work through these points of concern
- Chris stated that he met the new Deputy and asked for his assistance to have the farm tractor clean-up the mess created when he pulled onto the road and left all sorts of field debris from his tractor

Finance

Ken reporting:

- read the February Paid Bills and the Automatic Deductions amounting to \$2,481.29; **Ken announced himself and made the motion to accept these payments, seconded by Dennis who announced himself. Roll-call vote; Chris - aye, Dennis - aye, Ken - aye, Thomas - aye, David - aye.**

Gary reporting:

- reminded Council about the 2021 Final Review of Appropriations that must be finalized by the time of our March 4th Council Meeting and his email sent to Council on 2/1/21, offering to meet via Zoom or phone if any questions - he asked if anyone needs their department appropriation budget sheets that

he provided to Council on May 28, 2020 – stated that this is their last opportunity before he issues the Final Appropriations – he asked if there were any questions or comments or if anyone wanted him to send out their Department Budgets – no questions or comments were offered nor were there any requests for budget sheets

- he asked if there were any questions on the Ordinances that he sent to Council on 2/2/21 – no questions were raised and he asked Allan to please do the first reading of Ordinance 2021-04 – Allan did the first reading of Ordinance 2021-04, “an Ordinance approving amending the Certificate of Estimated Resources and declaring the same an emergency for the public peace, health, safety and welfare”
- **Chris announced himself and made a motion to waive the 2nd and 3rd readings of Ordinance 2021-04, seconded by Ken who announced himself. Roll-call vote; Chris - aye, Dennis - aye, Ken - aye, Thomas - aye, David - aye.**
- **Dennis announced himself and made a motion to adopt as an emergency Ordinance 2021-04, seconded by Chris who announced himself. Roll-call vote; Chris - aye, Dennis - aye, Ken - aye, Thomas - aye, David - aye.**
- Allan did the first reading of Ordinance 2021-05, “an Ordinance approving amending appropriations for the Mill Street Sidewalk Improvements Grant Fund and declaring the same an emergency
- **Chris announced himself and made a motion to waive the 2nd and 3rd readings of Ordinance 2021-05, seconded by Dennis who announced himself. Roll-call vote; Chris - aye, Dennis - aye, Ken - aye, Thomas - aye, David - aye.**
- **David announced himself and made a motion to adopt as an emergency, Ordinance 2021-05, seconded by Chris who announced himself. Roll-call vote; Chris - aye, Dennis - aye, Ken - aye, Thomas - aye, David - aye.**
- confirmed that he did deliver all documentation to the Board of Elections to get the Police and Park Levies onto the May ballot
- raised a point for consideration by Council to form a new Levy for Street Construction & Repair due to the fact that we may decide to not seek another Grant for storm sewers and resurfacing for another five (5) years due to the “hit” we took to our financial reserves when we had to pay an additional \$78,640.15 on top of our Matching Fund amount of \$24,108 – he reported that based on Allan’s previous input, a 1 Mil levy = \$4,800 in revenue, perhaps Council wants to consider a 3 Mil levy = \$14,400 per year – all of this depends on just how much maintenance we need to do in 2021 and beyond on our streets until we decide to re-enter the Grant Application process – he offered three (3) options (1) deplete street reserves for street maintenance (he did not recommend this option) (2) cut back on street repairs (he did not recommend this option) (3) continue forward, limiting street repairs to what we can afford, as we continue to monitor and “add-to”

our street financial reserves (he does recommend this, if it should be decided to not pursue a Street Construction & Repair levy) - reported that our Street Grants through 2020 averaged about \$315,000 with a Matching Fund, prior to the Front Street Project, of \$24,000 to \$25,000 resulting in the Village paying about 8% while the Grants cover about 92% of total costs - reported that per the "priority list" of streets requiring new storm sewers and resurfacing for the next 3-4 projects will run between \$250,000 to \$360,000 and then we get into the "mega" projects costing \$450,000 to \$850,000 for East and West Middle Streets, based on aged estimates

Parks

Dennis and David reporting:

- ❖ Allan asked David if anyone has contacted the Prosecutor's Office about extending the time for the Juvenile to complete his community service work - David responded that the grandmother will be doing this and Allan reminded him that it needed to be done before March
- ❖ reported that the Juvenile did work with him to clean-up the kitchen which did use another 2 hours which leaves a balance to be worked of 244 hours
- ❖ confirmed that all traffic signs are up, some in a temporary position, but they are up
- ❖ Mayor Dibler addressed the Mowing Contract and with Ben knowing the bid pricing from our contractor, it was felt that he should not be awarded the contract - Allan stated that Ben did not do anything illegal only that if the State Ethics Committee were to ever look into this, issues could develop
- ❖ Allan did the first reading of Ordinance 2021-06 - "an Ordinance accepting a bid and approving a contract with Jimmy's Maintenance and Lawn Care, LLC for grounds maintenance in the Village for the 2021, 2022 and 2023 seasons and declaring the same an emergency"
- ❖ **Dennis announced himself and made a motion to waive the 2nd and 3rd readings of Ordinance 2021-06, seconded by Ken who announced himself. Roll-call vote; Chris - aye, Dennis - aye, Ken - aye, Thomas - aye, David - aye.**
- ❖ **Dennis announced himself and made a motion to adopt as an emergency, Ordinance 2021-06, seconded by Ken who announced himself. Roll-call vote; Chris - aye, Dennis - aye, Ken - aye, Thomas - aye, David - aye.**
- ❖ Gary is to send the contract to the contractor for his signature

Water & Sewer

Dennis and Ken had nothing to report.

Streets

Chris and David reporting:

- reported that when the weather gets warmer, David will work with the Juvenile to install the new street signs
- confirmed that Chris spoke with the snow plowing contractor confirming that the markers are up on Reed Court and reminded him to not put snow in front of the garage and the contractor confirmed that he is OK working on an “as needed basis” without a formal contract
- Dennis reported that a phone company pole was hit and broken on Diagonal Road and that the Highway Patrol did write-up a report and, he presumes, that they contacted the telephone company

Zoning

Chris and Thomas had nothing to report.

- Mayor Dibler reporting for Ben - reported that Ben is working with a resident to obtain a variance for a shed installation - Allan confirmed that he gave Ben the necessary form
- Allan confirmed that the case has been filed in court as pertains to 141 Water Street and that the owner has hired an attorney, so things are starting to move forward
- Allan confirmed that all of the paperwork has been submitted for the FEMA Grant for 133 Water Street and that if we are awarded the Grant the monies will be available in June and that we should target an August completion - confirmed that he spoke with the owner of the property who is pleased that all is moving forward and that FEMA will approach the owner with a purchase price once the appraisal is completed and this will determine if we move forward or not - if the owner rejects the offer, the Village did everything it could to resolve this issue and it all falls back on the owner as to how they will proceed - Allan also confirmed that the house is empty

New Business:

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, March 4th at 8:00 PM
- ✓ confirmed depositing \$42.00 for December Traffic Fines
- ✓ confirmed that he will drop off documents at Village Hall needing signatures and asked everyone to please sign them as quickly as possible
- ✓ Mayor Dibler asked Allan to report on Council options - Allan stated that Burbank has the option to switch to a governing Commission as opposed to a Mayor and Council, this would reduce the number of members needed down to three from the current seven - there would be a Chairman and two Commissioners in addition to the Solicitor, Zoning Inspector and Fiscal Officer - it would require

that 10% of the registered voters in the Village, based on the Board of Elections resident information, would need to sign a Petition, a Special Election would need to take place at a cost of \$900 and a notice would need to be sent to every voter in the Village of the upcoming election prior to the vote and then the vote takes place - the Special Election would need to happen 90 days before the November election (which would make the election sometime in June or July) - if the measure were approved then those running for the Commission would be on the November ballot -the person with the most votes becomes the Chairperson who serves for 4 years while the other two candidates with the second and third most votes become Commissioners serving 3 years - the meetings would require all three members to be present anytime emergency legislation needs passing, otherwise the monthly meetings can be conducted with only two members present - the first step is getting the Petition signed by the voters and voting on the Petition in June/July followed by the second step of voting for the Commissioners in the November election - to be eligible for a Commissioner position, the individual must be a Village resident for at least one year and a registered voter - Mayor Dibler asked for comments from Council and when none were offered she asked that they give this some thought since it is so difficult to find 6 Village residents willing to be on Council - Allan stated that this could happen this year or next - Gary reported that with 4 Council seats up for election this year, this year would be the time to do it if this is how Council wants to proceed - Mayor Dibler asked Council members to communicate with her on this matter

Old Business:

Gary reporting:

- ❖ asked about the status of the Trash Hauling Contract - Allan reported that he has an Agreement available for a motion if Council wants to extend the contract for an additional year
- ❖ **Ken announced himself and made the motion to accept Kimble's one-year contract extension, seconded by Chris who announced himself. Roll-call vote; Chris - aye, Dennis - aye, Ken - aye, Thomas - aye, David - aye.**
- ❖ Gary is to send the signed Agreement to Kimble's for counter signatures and return
- ❖ Mayor Dibler asked for Council's opinion on the planting of trees in the Park(s) in memory of those who passed away as are being requested by residents - there was no strong opposition against such a move and Mayor Dibler stated that she was thinking of requiring a permit as well as designating which type of trees will be permitted and where they can be planted - Chris asked if Wayne County has an arborist and Gary offered to look into this and report back at the next Council

meeting, Chris also stated that if not Wayne County, perhaps Ohio State University has an arborist at their Wooster arboretum

Public Comment:

Nothiing offered.

There being no further business to come before Council, Chris announced himself and made a motion to adjourn at 9:09 PM, seconded by Ken who announced himself. Roll-call vote; Chris - aye, Dennis - aye, Ken - aye, Thomas - aye, David - aye.

X

Mayor, Carolyn Dibler

X

Fiscal Officer, Gary Harris