

VILLAGE OF BURBANK
REGULAR MEETING, May 4, 2023

Mayor David Wilkinson, called the meeting to order at 8:05 PM.

A roll call was taken with the following officials present: Chris Norton, Anna Dickson, Terry Moore, Jay Byler, Thomas Lenhoff, Marti McCord; also, in attendance: Allan Michelson – Solicitor, Ben Berger – Zoning Inspector, Gary Harris – Fiscal Officer and visitors Cathy Kopp, Dan Wiley and Daniel Griffin.

Mayor Wilkinson welcomed our guests.

Minutes – April 6, 2023 Regular Meeting Minutes

Jay made a motion to waive the readings and to approve as submitted the April Regular Meeting Minutes, seconded by Anna. Vote; 6 ayes, 0 nays

Council Reports:

Safety

Marti and Anna reporting:

- reported the total of hours worked in April as 102 out of 100 requested – traffic fines for April were \$217 and the check was delivered to the Fiscal Officer

Finance

Terry and Thomas reporting:

- read the May Paid Bills and the Automatic Deductions amounting to \$31,606.23 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 Jay. Vote – 6 ayes, 0 nays.

Gary reporting:

- as of May 2nd, a total of \$42,363.11 has been deposited for the Village Income Tax receipts from RITA since July of 2022 – he asked if there were any questions or comments – none were offered
- reported that he can answer any questions that Council may have about reviewing and considering any changes to the 2024 Budget Worksheets that he distributed at the April meeting and reconfirmed that any changes to the budget are due at the June 1st Council Meeting – he reported that as always, he is available to meet with any Council member(s) before the June meeting to assist anyone in interpreting or working with the Budget Worksheets - he asked if there were any questions or comments – none were offered

- announced that he is continuing to train the new Fiscal Officer at the Village of West Salem and his time is reducing due to her excellent progress – he stated that if he is late in responding this is why and he assured Council that he will get back to them as soon as possible and that they can always call or text if a faster response is needed
- reported that Playground Boss did not ship the Playground equipment as promised for shipping to Burbank – he went back to them to ask for a \$1,000 deduct on the final billing for the extra labor and use of a vehicle to move the unloaded equipment from Lodi to Burbank and they reduced the final invoice by \$1,000 – the border material and ADA ramp for access into the new playground has also been received – Mayor Wilkinson and Jay confirmed that all pieces and parts, per the packing list, have been received – Gary stated that he will release the check to Playground Boss and he also reported that Anna gave him her receipts for the CPSI training/testing and that he proceeded to reimburse her as Council approved at last month’s meeting - he asked if there were any questions or comments – none were offered
- confirmed that on May 2nd he sent Council two Block Grant Application sections offering two different options for the scope of work on sidewalks for the east side of Front Street and/or the south side of East Middle Street – this afternoon, he learned that the State has awarded Wayne County a total of \$360,000 for CDBG and Wayne County can award up to \$176,400 for a Spot Slum & Blight project so he recommended to Council that they not consider doing both streets as Front Street, if awarded, will consume \$170,500 of the \$176,400 available – in addition, tonight, Council needs to assign or have someone volunteer to be Gary’s alternate as the Project Manager for this project if we are awarded the Grant – Jay volunteered for this task and Gary thanked him for doing so -confirmed that earlier today he sent a proposed letter to Council committing our Matching Fund amount of \$31,000 and our agreement to absorb any cost overruns which also must be submitted with our application and stated that we need a motion on this tonight – Gary offered to Council the option to use the Village Income Tax monies for this project, Allan asked if the decision has to be made tonight and Gary responded no and he only wanted Council to realize this as a possible option – Gary reported that we also have a motion that we need to pass tonight for this project if Council wants to proceed – Mayor Wilkinson will need to sign a document for this grant tonight as well – Council did confirm that they do want to proceed with the filing of this Grant - he asked if there are any comments or further discussion needed – none was offered
- Allan did the first reading of Resolution 2023-2R. “a Resolution of the Village of Burbank setting forth certain conditions and representations by the Village in regard to the current Community Development Block Grant Application of the Village, and declaring the same an emergency”
- **Chris made a motion to waive the 2nd and 3rd readings of Resolution 2023-2R, seconded by Marti. Vote: 6 ayes, 0 nays**
- **Chris made a motion to adopt Resolution 2023-2R as an emergency, seconded by Marti. Vote: 6 ayes, 0 nays**
- **Terry made a motion to commit \$31,000 of Village Funds for the Engineering Costs and the agreement to absorb any cost overruns for the Front Street Sidewalk Project and authorizing the Contracts and Grant Administrator to submit the CDBG Grant Application to Wayne County with a total estimated Project Cost of \$201,500, seconded by Jay. Vote: 6 ayes, 0 nays**

- confirmed that he did submit the PEP Grant Application to be used towards the rewiring of the Park Stage and that he will let everyone know once he hears from PEP - he asked if there are any comments or further discussion needed – none was offered

Parks

Marti and Terry had nothing to report.

- ❖ Mayor Wilkinson reported that the baseball field in the Park is now in use and looking to be in fairly good condition – he stated that he was asked to resurface the baseball field and it will cost \$5,000 – Gary stated that we have the funds if needed but this would draw down available funds to a low level – Mayor Wilkinson said that we will wait until next season to do this work – a discussion took place about the dedication of the field to Norma Buckingham and how we should try to tie it into a Park activity – it was decided to do this on June 10th and to invite the Buckingham family
- ❖ Mayor Wilkinson is waiting to receive one more bid for the new security cameras for the Park
- ❖ Anna will follow-up on the status of the Village Hall sign and update Council
- ❖ Marti reported that Thomas will put the Park Rental Reservation Form onto the Village website – it was decided that the Village will “hold” deposits until any Park equipment i.e. horseshoes are returned and accounted for
- ❖ Mayor Wilkinson stated that the electrician he had scheduled to do the rewiring of the Park Stage is unable to proceed and asked Gary to obtain another bid from another electrician
- ❖ Anna announced that she passed the Certified Playground Safety Inspector test and was congratulated by Council
- ❖ Terry reported that he received a “thank you” from the United Methodist Church who used the park for an Easter Morning Service
- ❖ Council reminded Gary that he was to obtain pricing on street signs as well as the sign to be dedicated to “Red”
- ❖ **Marti made a motion to approve Valley View’s bid for mosquito spraying throughout the Village including the Park, seconded by Jay. Vote: 6 ayes, 0 nays**
- ❖ Mayor Wilkinson will contact Valley View Spraying to obtain a schedule for this spraying
- ❖ Marti reported receiving an irate call from a resident asking why mowing is taking place as early as 7:30 in the morning at the Old School Park – Marti invited the resident to come before Council and address this matter, the resident did not appear

Water & Sewer

Thomas and Anna had nothing to report.

Streets

Chris and Jay had nothing to report.

- Allan confirmed that all payments to Countryside in response to the loss of the Law Suit have been made including the Court Costs – Gary stated that per Allan, the Countryside attorney in this case “jumped the gun” and issued a court ordered garnishment (withdrawal) from our checking account in the amount of \$4,999 even though payment in full had been mailed and in transit when this garnishment was processed – per Allan, the monies are to

be deposited back into our account by the Court – Gary will monitor and advise Allan if not received in short order

- Dan indicated a “depression” in the road in front of Anna’s house needing repair – Chris stated that this cannot be repaired as the roadway needs to be resurfaced due to the extent of the repairs necessary to correct this issue
- **Terry made a motion to approve the bid received from M. Miller Construction in the amount of \$4,300 for pothole repairs on Middle Street and Diagonal Road, as marked by Chris, seconded by Jay. Vote: 6 ayes, 0 nays**

Zoning

Chris, Jay and Ben had nothing to report.

- ✚ Marti reported that she is going to ask the new Magistrate, hired by Creston, if they will process Burbank’s Zoning violations and she will report back to Council – Allan stated that they have a new Prosecutor in Wooster whom he has spoken with about Burbank’s two open cases and he will continue to follow-up with her on getting these violations processed
- ✚ Anna confirmed that she has not spoken with the renter at 124 W. Middle about removing the couch out in front of the house – Mayor Wilkinson said he will follow up on this
- ✚ Dan asked about the car in the yard at 111 W. Middle with expired tags, Allan said he will look to see if it is in the Court filings for this address and if not, he will have Ben begin working on this
- ✚ **Marti made a motion to approve the bid received from M. Miller Construction to do the “dig” for 23 Front Street searching for the reported “missed” lateral tie-in, seconded by Jay. Vote: 6 ayes, 0 nays**
- ✚ Gary reminded everyone that if there is no lateral or it is outside of the right-of-way, then the home owner is responsible for all costs as per the Ordinance passed at last month’s meeting with the home owner present – Gary to advise the homeowner once a date for the work is scheduled
- ✚ Allan reported that the Auditor is removing the residence from the 133 Water Street property tax valuation and his next action will be to get this property exempted from property tax – Gary reported that Quality Excavating finished the final grading and spreading of the grass seed and straw on Thursday, April 27th and he approved the work and stated that the Contractor has finished the project as ordered - as he inspected the site, he asked the Contractor to bid the price to add concrete Yard Blocks behind the existing steel plates installed by the past home owner as this will allow us to eliminate the gaps behind the steel plates and have the ground level at the top of the blocks to help avoid further erosion and undermining of the steel plates and extend the use of these plates – he reported that while inspecting the site he asked Jimmy’s Lawn Care for a price to add the 133 Water Street site to their regular mowing schedule and asked them to mow the areas of the property where high grasses were present which they did do – with the remaining \$1,489.79 in already Appropriated monies for this project, these can be used towards the payment for the additional work being requested from Quality Excavating - any questions or comments or legal concerns – none were offered

- ✚ Gary asked for **a motion appropriating up to another \$3,000, if needed, to add the Yard Blocks, fill and seed the additional work at 133 Water Street, Marty said so moved, seconded by Anna. Vote: 6 ayes, 0 nays**
- ✚ Terry voiced the need to add stone to a Village piece of property at or near 48 S. Front Street – a discussion took place about the steps involved to have the Village sell this property, Chris said to just order the stone and be done with it, Gary raised a concern about this setting a precedent and Allan stated that this action will not set a precedent – this section of property leads back to the cliff overlooking the Park
- ✚ Marti reported that Linda Gray contacted her about resurfacing her parking lot when we resurface Reed Court – Gary stated that he spoke with Linda about this, stating that it cannot be a part of the Village resurfacing but he would have the companies bidding the Village work to meet with Linda and give her a separate bid for her work to be paid by Linda and he advised Linda it will be a few months before bidding takes place and is dependent upon our getting the OPWC Grant award

New Business:

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, June 1st at the start time of 8:00 PM
- ✓ confirmed that he deposited the \$608 for the February and March Traffic Fines and that he will deposit the April Traffic Fines that he received tonight in the amount of \$217
- ✓ confirmed that he plans to refile the OPWC Grant Application this year for Diagonal Road and East Middle Street from the intersection eastbound and that he will provide the cost estimate to resurface Reed Court so Council can decide if they want to include this work in this year's OPWC Application - he asked if there were any questions or comments – none were offered
- ✓ confirmed that he has not yet heard back from ODOT on the requirements for conducting a Christmas Parade on Front Street, that we have time and he will follow-up on this over the next few months
- ✓ proposed having the next Records Commission Meeting at 7:50 PM at the June 1st Council meeting unless there are any objections – no objections were offered
- ✓ Chris confirmed that Alien Pest Control only has one employee, the owner, and Gary said that based on this he has all the necessary insurance documents from this contractor and he can proceed with hornet pest control in the Park

Old Business:

Gary had nothing to report.

- Kathy reported that the Event Committee met on April 15th and set the date of May 13th as the Park Clean-up Day from 11:00 AM to 3:00 PM – McDonald's agreed to donate drinks, condiments and napkins for this activity – **Marti made a motion to appropriate up to \$200 for food for the volunteers, seconded by Jay. Vote: 6 ayes, 0 nays**

Public Comment:

Nothing Offered.

There being no further business to come before Council, Marti made a motion to adjourn at 9:35 PM, seconded by Jay. Vote; 6 ayes, 0 nays

X

Mayor, David Wilkinson

X

Fiscal Officer, Gary Harris