

**VILLAGE OF BURBANK
REGULAR MEETING, OCTOBER 7, 2021**

Mayor David Wilkinson, called the meeting to order at 8:10 PM.

A roll call was taken with the following officials present: Chris Norton, Dennis Rigerman, Ken Dibler, Danual Priebe, Marti McCord; also, in attendance: Allan Michelson – Solicitor, Ben Berger – Zoning Inspector, Gary Harris – Fiscal Officer and visitors Cathy Kopp, Terry Moore, Lori Menk and Daniel Griffin.

Mayor Wilkinson welcomed our guests.

Chris made a motion to excuse Thomas Lenhoff, seconded by Ken. Vote 5 ayes, 0 nays

Minutes – September 2, 2021 Regular Meeting Minutes

Chris made a motion to waive the readings and to approve the submitted September Regular Meeting Minutes, seconded by Dennis. Vote; 5 ayes, 0 nays

Council Reports:

Safety

Chris and Ken reporting:

- read the September Sheriff’s Report – Gary was asked how many hours they worked thus far in the year and he reported that he did not have that report with him, but he estimated they worked 400 out of 700 or 57% (the actual hours worked are 496 out of 810 or 61%) – Chris stated that hours missed in September may have been due to the Wayne County Fair and the presence they are required to provide – Chris is to contact Captain Hunter to see if they want to renew the contract for next year and Mayor Wilkinson is going to contact Chief Paine to see if West Salem is interested in the event that we cannot reach agreement with Creston to provide our Police coverage since they rejected our initial offer and have not yet indicated their billing rate – Allan confirmed that Creston’s Finance Committee meets again on October 25th where this potential contract will be a discussion point – Allan also confirmed that at this time Creston does not have the staffing to support Burbank although they will soon be bringing on another officer

Finance

Ken reporting:

- read the October Paid Bills and the Automatic Deductions amounting to \$3,127.24; **Ken made the motion to accept these payments, seconded by Chris. Vote - 5 ayes, 0 nays.**

Gary reporting:

- confirmed that for the Park LED's we have the bid from Lampion and earlier today he met with Ryan Kercenneck with JW Didado Electric and this afternoon he forwarded their estimate to Council reflecting a higher cost estimate - he asked if Council wants to proceed to appropriate any monies towards this project or wait until the November Meeting, if we wait that long there is a good chance this work will not get done in 2021 and we need to spend the PEP Grant portion in 2021- he asked if there were any questions or comments - none were offered
- **Marti made a motion to approve proceeding with the Lampion bid option as recommended by the Fiscal Officer, seconded by Dennis. Vote 5 ayes, 0 nays**
- confirmed that he issued a Purchase Order with Yoder Barns on 9/3/2021 for replacing the roof on the garage behind Village Hall - the challenge has been obtaining the insurance certificates; in September Council appropriated \$3,000 and the next lowest bidder (Hershberger) who is at \$3,510 and does not include the costs for any roof sheathing; our primary bidder, Yoder Roofing, does not have state Workers Comp, they have Amish Worker Comp that he was to send to Gary for Allan's review, Gary confirmed asking twice and with no luck in receiving it unless we let them proceed without State Workers Comp, in my opinion, there is an element of risk with this option - any questions or comments - Allan indicated that since Yoder has signed our contract we can allow them proceed as the responsibility/liability will now rest with them - Gary confirmed that he will proceed to contact Yoder Barns to proceed with the work since we do have their Liability Insurance document
- confirmed that we have applied for and we have been approved to receive ARPA monies, \$10,370.36 yet this year and another \$10,370.36 12 months from the first receipt - we have until 12/31/2024 to find a qualified project and we must spend all monies by 12/31/2026 - he reiterated that this is a very complex Grant and it could take months before we find a project that will meet all of the Federal criteria - he asked if there were any questions or comments - none were offered
- confirmed that we have two Ordinances to vote on tonight to add these ARPA monies to our Estimated 2021 Revenues and to also appropriate those monies - he asked Allan to please do the first readings on Ordinances 2021-11 and -12
- Allan did the first reading of Ordinance 2021-11, "an Ordinance approving amending the Certificate of Estimated Resources for the Coronavirus Relief Fund (ARPA) and declaring this an emergency for the public peace, health, safety and welfare"
- **Chris made a motion to waive the second and third readings of Ordinance 2021-11, seconded by Marti. Vote 5 ayes, 0 nays**
- **Chris made a motion to approve Ordinance 2021-11 as an emergency, seconded by Danual. Vote 5 ayes, 0 nays**

- Allan did the first reading of Ordinance 2021-12, “an Ordinance approving amending Appropriations for the Coronavirus Relief Fund (ARPA) and declaring same as an emergency”
- **Danual made a motion to waive the second and third readings of Ordinance 2021-12, seconded by Marti. Vote 5 ayes, 0 nays**
- **Danual made a motion to approve Ordinance 2021-12 as an emergency, seconded by Danual. Vote 5 ayes, 0 nays**

Parks

Dennis and Marti reporting:

- ❖ confirmed that a letter was sent to the Probation Officer stating that the Village was satisfied and the obligation has been satisfied
- ❖ Cathy reported receiving a complaint on Facebook on Patriots Day complaining about the poor quality of the flag at the Old School Park - Marti confirmed installing a new flag at that Park and that the Village is now responsible to maintain the flag at this location
- ❖ confirmed installing new halyards at the Flag Pole in the main Park
- ❖ Mayor Wilkinson stated that with baseball season now at an end he plans on contacting the Youth Baseball organization to set a meeting to discuss ball field improvements for next year and that he will include the Fiscal Officer in such meetings
- ❖ Gary confirmed that last month an issue was raised by Cathy Kopp about Trinity Church and basement flooding perhaps caused by the storm sewer work completed on Henrietta - Gary admitted that he accidentally researched the wrong location (he thought it was the Church at Henrietta and W. Middle Streets when it was the Church at Henrietta and South Street) - Gary confirmed that he did the research for the correct property and reported back to Roger Hartley and Terry Moore that only one drain line was found during the construction phase and that line was tied into the new storm sewer - Gary recommended that the Church hire a company to “camera” the downspout lines to locate the blockage and determine if the issue is within or outside of the ROW - Roger also reported that he thought there was a catch basin near the Church Parking Lot entrance/exit on Henrietta - Gary researched pre-construction photos and no such catch basin appears in the photos - once we hear back on the “camera” findings, further comment will be offered - he also confirmed that per a discussion he had with Allan it is the Village’s responsibility to correct the eroded section of berm on the east side of Henrietta St. - Gary confirmed that he will contact contractors for pricing and proceed with repairs at the earliest possible time, weather permitting and contractors availability

Water & Sewer

Dennis and Dan had nothing to report.

Streets

Chris and Marti had nothing to report.

- Gary confirmed sending Council an analysis report on the four bidders for plowing this winter and then stated that per a late afternoon discussion that he had with Countryside Lawn Care they offer the most competitive rate but require payments of \$4,995 due on November, December, January and February 1st but they will plow and salt through April 16, 2022 at no additional cost provided we do not have more any 27 plows or 27 salts in any given month - Gary stated that he sent an email to Countryside confirming this understanding and that he is waiting on a response
- **Chris made a motion to approve Countryside Lawn Care as our plowing contractor on the condition that they respond in writing to Gary's understanding, seconded by Marti. Vote 5 ayes, 0 nays**
- Gary confirmed that Mules Hauling and Excavating notified him that they were to do the catch basin installation and hole/sidewalk repairs either this Friday or next week now that the legal issue has been addressed with the property owner and, per Allan, allowing us to proceed and then charge the property owner for the hole/sidewalk repair

Zoning

Dan had nothing to report.

- o Ben reported that he cited Rod Kelly on E. Middle Street for installing a fence without a permit and that the resident tore up the citation upon receipt - Allan indicated that he will contact the Wayne County Prosecutor to file charges against this resident
- o Ben reported that he was told by Linda Grey that a resident is suing the Village due to water in their basement caused by work done on a culvert by the Village - it was determined that this is the same resident who has been cited for a truck without plates but we cannot get the vehicle towed until the Sheriff Department issues the necessary documentation - Allan stated that he will get with Ben so they can file charges on the vehicle against the property owner
- o Allan provided updates on the two projects that he is involved with - 141 Water Street, Allan is to set-up an inspection with the County Building Inspector along with the property owner as the next step in the legal process - 133 Water Street, Allan has now been told that the FEMA Grant decision is now moving out to November and that all are frustrated as this is now the third date offered to receive a decision on the Grant application
- o Allan confirmed that he and Ben will work on generating the legal notice regarding high grass and clean-up at 111 W. Middle Street

New Business:

- ✓ Mayor Wilkinson asked about setting new start times for the Council Meetings during the months of November through March

- ✓ **Chris made a motion to change the meeting start time from 8:00 PM to 7:00 PM November through March, seconded by Danual. Vote 5 ayes, 0 nays**

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, November 4th at 8:00 PM
- ✓ confirmed depositing \$6.96 for August Traffic Fines
- ✓ reminded all present that next month we have 3 levies on the November Ballot to vote on for the General Fund – no increases on any of these levies and they are essential in helping the Village meet our Operating Expenses including our public services i.e. street lights, plowing, etc. and asked all present to vote and the other residents

Old Business:

Gary had nothing to report.

Public Comment:

- Lori asked if parking on the tree lawn is not allowed and Ben confirmed that it is not allowed – Lori stated that this is happening on W. Middle Street
- Lori asked about the high grass and barn debris at 124 W. Middle Street – Allan stated that he will get with Ben to generate a Notice with a deadline to complete by a certain date
- Cathy confirmed that Halloween will be on October 31, 2021 from 6-7:30 PM
- Cathy announced that the Medina County EMA will conduct a mock exercise at the Lodi Outlet Mall, testing mass emergency procedures and methods
- Daniel asked if anyone knows of an exterminator he can contact to get rid of squirrels – Chris suggested Daniel get with him after the meeting

There being no further business to come before Council, Ken made a motion to adjourn at 9:24 PM, seconded by Chris Vote; 5 ayes, 0 nays

X

Mayor, David Wilkinson

X

Fiscal Officer, Gary Harris