

VILLAGE OF BURBANK

SPECIAL MEETING

October 25, 2023

Drainage and Litigation Issues

Mayor Wilkinson called the meeting to order at 6:02 PM and welcomed our guests.

The following officials were present for this meeting: Chris Norton (6:20 PM), Jay Byler, Thomas Lenhoff and Marti McCord, Solicitor - Allan Michelson, Zoning Inspector - Ben Berger (6:30 PM), Fiscal Officer - Gary Harris, guests Joshua Besancon with Engineering Associates, Michael Graves, Rod Kelly, Chris Collins, Zach Kelly, Tim Reed, Sherrie Long, Bert Reed and Officers Fockler and Stocker

Gary reporting:

- Presented a brief overview of an issue raised by residents on E. Middle Street and run-off from the street causing issues for those impacted, Gary asked Joshua to review options to better manage this run-off those being to install a curb, catch basins and either tie them into the existing storm sewer line on the south side of the street or add a new storm sewer line on the north side of the street - Gary gave an estimated cost for this option at \$100,000 - Jay asked about installing a "French drain" and Joshua stated that there is not enough room based on the ROW markings nor adequate support for the heavy truck traffic on E. Middle Street - Allan reported that during his time as Solicitor this run-off issue was never raised by residents - Mr. B. Reed disagreed with Allan - Mr. Graves stated that based on the ROW markings, he can remove the sidewalk in front of the lot that he owns west of his home since it is outside of the ROW and this will direct more drainage away from his home - Allan stated that all sidewalks are the property of the Village since the Village installed all of the existing sidewalks on the north side of the street - a discussion took place on the transient line and where it projects going west on this street and Gary stated that we first need to reconfirm the ROW along this section of E. Middle Street and asked for **"a Motion to approve having Engineering Associates resurvey the recent survey completed by Laurila Surveying to confirm the ROW, so moved by Marti, seconded by Jay."** **Vote: 4 ayes, 0 nays** - discussions continued pertaining to drainage, historical water control using ditches and with lower street elevations, property assessments, removal of sidewalk sections, reinstallation of sidewalk sections, easements, filing a Grant Application in 2024 for this drainage work, street elevation caused by Chip-N-Seal over the years, poor condition of the storm sewer on the south side of the street, jetting and the potential breakage of this 70-year-old system, etc. - Mr. Graves reported that the Sanitary Sewer man-hole cover is now above grade due to truck traffic breaking the sidewalk where this cover

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is located – Gary was asked to contact the proper Wayne County authorities and report this issue and Allan also asked Gary to advise them that this sanitary sewer cover may be outside of the ROW – Mayor Wilkinson asked that no work proceed insofar as the removal of any sidewalk area until the matter is further discussed at next Thursday’s Council Meeting – Mr. Graves agreed to wait

- Allan stated that the litigation issue would be best discussed between himself and Mr. B. Reed’s attorney since that was the last person Allan spoke with on this pending litigation

Other Business – Gary reporting:

- Reported that Wayne County has listed Burbank as the #1 Priority for Wayne County OPWC Grant Applications thus almost assuring the winning of this grant for the work on Diagonal Road and a section of E. Middle Street – Mr. T. Reed stated that he never heard about this grant application and it was not in any of the Minutes – Gary stated that “yes” this has been reported in the Minutes and that we do conduct monthly Council Meetings and this OPWC Grant was discussed at those meetings but few residents attend these meetings even though all residents are free to attend – a discussion took place on the details of the work to be done on Diagonal Road and E. Middle Street with Joshua answering all questions and pointing out the improvements being made to reduce street run-off from Diagonal onto E. Middle Street – Mr. R. Kelly and Mr. T. Reed voiced concerns about potential water flow and water volume issues – Joshua pointed out the torrential rains that we now receive that did not occur in the past as frequently as they now occur which lends itself to these problems and how the engineers are required to design systems based on 10 year storm events – residents wanted changes made to the final plans – Gary stated that the Grant costs are based on the design criteria submitted and approved by Wayne County and we cannot have any modifications that will result in cost increases unless the residents and/or Council are asking the Village to turn-down the Grant which Gary strongly recommended against doing as this would seriously impact the ability of the Village to win future Grant awards – no such request was made by those in attendance or Village Council to reject the Grant

There being no further business to come before Council, Marti made a motion to adjourn at 7:54 PM, seconded by Jay. Unanimous

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X

Mayor, David Wilkinson

X

Fiscal Officer, Gary Harris