

VILLAGE OF BURBANK

SPECIAL MEETING

November 14, 2023

Easement and Drainage Issues

Mayor Wilkinson called the meeting to order at 5:59 PM and welcomed our guests.

The following officials were present for this meeting: Chris Norton, Anna Dickson, Terry Moore, Jay Byler, Thomas Lenhoff, Solicitor - Allan Michelson, Fiscal Officer - Gary Harris, guests Michael Graves, Deb Urban, Rod Kelly, Chris Collins, Zach Kelly, Cathy Kopp, Craig Purdy, Logan Mast and Officers Fockler and Stocker

Mayor Wilkinson welcomed all guests and reminded them to hold their comments and questions until the Public Participation portion of the meeting

Chris made a motion to excuse Marti McCord, seconded by Anna. Vote: 5 ayes, 0 nays

Allan and Gary reporting:

- Presented a brief overview of today's earlier meeting with Dennis Kent, Joshua Besancon with Engineering Associates, Allan Michelson and Gary Harris - reported that it was a good and productive meeting focused on locating an easement to better control storm water run-off coming down Diagonal Road and the area near the intersection of Diagonal Road and E. Middle Street - reported that there is ample room for constructing improved drainage through an easement at 231 E. Middle and 227/229 E. Middle as both Dennis Kent and Patrick Murphy are agreeable to allowing an easement along the respective west and east property lines - Engineering Associates will proceed with the design drawings and Allan will generate the easement documentation once he obtains details from Engineering Associates - Allan asked for **"a Motion to amend the original engineering plans to now incorporate the easement and revise the plans accordingly, so moved by Jay, seconded by Anna."** **Vote: 5 ayes, 0 nays**
- Terry asked about the timing of the Grant and if any construction could begin any time soon - Gary reported that District 16 is to release the preliminary list of OPWC Grants to be awarded on November 24th, on December 1st District 16 will formally release the names of those sub-divisions awarded Grants and Gary plans to attend this meeting and is optimistic about Burbank's chances of winning an OPWC Grant Award - Gary confirmed that construction cannot begin prior to the release of Grant monies which will not take place until July 1, 2024 but the Village will proceed to solicit construction bids, award the contract and target starting construction soon after the release of grant monies to the Village

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Other Business - Gary reporting:

- ❖ Reported that Tomorrow he is meeting with ODOT representative Jeremy Adato, to review the locations of the engine brake and signal ahead signs - noted that we need to install them as break-away posts which will double the number of posts for these signs - ODOT is offering to install the "signal ahead" sign on SR 83 on the curve outside of Village limits - the other good news is that since these signs will be on the highway, we can charge all sign and post costs to the Highway fund so we have an Ordinance to increase appropriations for this fund
- Allan did the first reading of Ordinance 2023-07, "an Ordinance approving amending the 2023 Appropriations and declaring this an emergency for the public peace, health, safety and welfare"
- **Jay made a motion to waive the 2nd and 3rd readings of Ordinance 2023-07, seconded by Anna. Vote: 5 ayes, 0 nays**
- **Chris made a motion to approve Ordinance 2023-07 as an emergency, seconded by Jay. Vote: 5 ayes, 0 nays**
- As pertains to the No Truck sign that Council wanted installed on Depot Street - confirmed that he sent an email to everyone on Nov. 7th and the sign that Medina County is willing to install near the intersection of Depot and SR 83, on Depot Street reads "Trucks prohibited on Depot Street .166 miles ahead" - Gary asked if he can tell Medina County to proceed or does Council want something different
- **Chris made a motion to accept having Medina County install the sign as presented, seconded by Jay. Vote: 5 ayes, 0 nays**
- Terry asked if the engine brake signs can be installed on the Traffic Signal Ahead signs, Gary said he will ask ODOT during tomorrow's meeting
- Reported that on Nov. 6th he sent out a draft copy of Rules of Conduct for Village Public Meetings - he asked if Council has any interest in establishing such rules or if they prefer to continue without such rules at this time - Council moved to table this discussion until the December meeting - Terry asked where did Gary pull this from, Gary reported that he went on line, found one that was close to being applicable and modified it for Burbank's use
- Reported that Allan has generated Ordinance 2023-06 approving the Agreement for Services for Police Services with Creston - since the Agreement was signed last month he recommended voting to pass the Ordinance and sign it tonight to close this one open documentation issue
- Allan did the first reading of Ordinance 2023-06, "an Ordinance approving a contract for Police Services from the Village of Creston, Wayne County, Ohio

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from January 1, 2024 through December 31, 2024 and declaring this an emergency

- **Terry made a motion to waive the 2nd and 3rd readings of Ordinance 2023-06, seconded by Jay. Vote: 5 ayes, 0 nays**
- **Jay made a motion to approve Ordinance 2023-06 as an emergency, seconded by Terry. Vote: 5 ayes, 0 nays**
- Reported that tonight he is distributing the Priority Listing for OPWC projects for Council to review and determine if any changes in priority are needed since last being revised in 2022 – he suggested that Council review the priorities for the next 6 Phases, Diagonal Road is Phase IV out of a total of 10 Phases to be done to bring Burbank’s infrastructure up to date – Terry asked if the pricing on these sheets is accurate and Gary said for Phase IV yes, that project will have \$499,999 in Grant monies of which \$100,000 will be a loan plus the Village Matching amount of \$117,501 for a total project cost of \$617,500 (it should be noted that for all of the “Completed Projects”, those costs are also accurate) – Gary thanked residents for paying the Village Income Tax which is what is making this and future OPWC projects possible (it should be noted that businesses within Village limits also pay this tax as do the employees of the Village)
- Reported that after the November 2nd Council meeting, Cathy gave him an invoice for \$100 from EnchantaRoo Face and Body Art from the Trunk or Treat activity along with a request for reimbursement of \$157.88 for donuts and a gift card also for the Trunk or Treat activity – reported that Cathy also gave him donations of \$100 from Jay Blocks Hardscapes and Lawn Care and \$50 from Amy Smith’s Burbank Beauty Salon – he asked for **“a motion approving the payments to EnchantaRoo and Cathy totaling \$257.88, so moved by Jay, seconded by Anna.” Vote: 5 ayes, 0 nays**
- Going forward, Gary stated that we need to get approval from Council, for upcoming spending for Village activities before the events which means that Cathy will have to provide estimated spending before all future events

Public Participation:

- o Rod Kelly thanked the Mayor and Council for listening to his disagreement about the Diagonal Road proposed water run-off solution and then doing an investigation and pursuing easements to alter the direction of the flow of water run-off and diverting this water directly to Killbuck Creek – he encouraged Council to obtain easements along E. Middle on the north side of the street to better control water run-off west of Diagonal Road on E. Middle Street when the Village applies for an OPWC Grant for that section of road
- o Michael Graves distributed copies of the Open Records Policy, page 7, Section 2.2 where it states that requests for records does not have to be

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in writing and requested copies of both surveys completed on E. Middle Street from 241 E. Middle Street up to Grant Street and he wants to be notified when they are ready so he can pick them up

There being no further business to come before Council, Marti made a motion to adjourn at 6:24 PM, seconded by Jay. Unanimous

X

Mayor, David Wilkinson

X

Fiscal Officer, Gary Harris