

RECORD OF PROCEEDINGS
VILLAGE OF FORT RECOVERY REGULAR COUNCIL

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held November 5, 20 18

CALL TO ORDER: Mayor Dave Kaup called to order the Regular Council Meeting on November 5, 2018 at 7:30 pm at the Village of Fort Recovery Council Meeting Room to conduct regular business.

Roll call was conducted with the following Council members **Present:** Erik Fiely, Cliff Wendel Luke Knapke, Greg Schmitz, Scott Pearson and Al Post. **Also Present:** ~~Randy Diller~~, Erin Minor, Roberta Staugler, PG Jellison, Sydney Albert, Neal Spencer and Brandon Wyerick.

The Mayor led with prayer and the Pledge of Allegiance.

Reports to Council: VA Report, October Income Tax, FINX and Bank reports.

Poll Visitors: nothing to report

Minutes: Pearson made the motion to approve the October 15, 2018 minutes seconded by Fiely. Vote all yes.

Mayor: The annual Christmas decoration judging will be December 21st. **Minor:** We will do a Facebook posting about the contest. We will also post flyers around town. **Mayor:** Voting will take place tomorrow; the village Storm Sewer Renewal Levy will be on the ballot.

RESOLUTION/ORDINANCES

RESOLUTION 2018-29 A RESOLUTION TO AMEND APPROPRIATIONS. Pearson made a motion to suspend the rules seconded by Schmitz. Vote all yes. Post made a motion to pass the resolution seconded by Wendel. Vote all yes.

RESOLUTION 2018-30 A RESOLUTION TO AMEND RESOLUTION 2016-02. Pearson made a motion to suspend the rules seconded by Schmitz. Vote all yes. Fiely made a motion to pass the resolution seconded by Wendel. Vote all yes.

ORDINANCE 2018-08 AN ORDINANCE TO AUTHORIZE MAYOR AND FISCAL OFFICER TO EXECUTE A LAND EXCHANGE AGREEMENT Pearson made a motion to suspend the rules seconded by Schmitz. Vote all yes by roll call vote. Post made a motion to pass the ordinance seconded by Knapke. Vote all yes.

Staugler: The October Bank Reconciliation was presented for council approval. The October income tax report shows we are still down from the same time last year. We have adjusted the 2018 estimated tax receipts down \$50,000 to \$750,000.

Minor reporting for Kate: We had contemplated applying for a grant from the Office of Criminal Justice (the JAG-LE Grant) for funds to make Ledgen a full time officer. Kate along with Jared and the Mayor decided it may be premature to ask for funds at this time. We can apply for funds in the future if Ledgen becomes a full time officer. Kate submitted an application to EMA on Friday for funds for Marcs Radios.

Nature Works: We received notification that we will receive \$31,000 for new bleachers at Community Park, shade structures for six dugouts at Community Park, a new entrance sign for Community Park and a new entrance sign for the pool. The signs will be substantial, incorporating some stone.

Duhamel Land Swap: Council passed an ordinance approving the land swap agreement. The next step will be to get the Duhamels to sign it. Then, the deeds will be prepared.

Broadway Street Property: Mel Bertke is in the process of trying to sell his Broadway Street property. It is a two story property that was formerly the stirrup factory and later the card shop. In 1997, the Village vacated right-of-way in front of part of Mel's property. The Village also vacated right-of-way in front of a neighboring parcel that the Village did not intend to vacate. The Village intended to vacate all of the right-of-way in front of Mel's property. The error was

*correction 11/19/18 Randy Diller Absent

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due to an incorrect legal description in the survey plat provided to the Village. Mel hired a surveyor that prepared a legal description for the additional portion of right-of-way that needs to be vacated. With regard to the portion of right-of-way that should not have been vacated in 1997, Randy will be discussing this with Choice One to see if this will create an issue for the Broadway Street Reconstruction Project.

Centralized Collection: It has been a long time since centralized collection has been a topic of conversation. Many months ago, a group of Ohio municipalities filed a lawsuit seeking to enjoin legislation authorizing the state to collect municipal net profit taxes on behalf of municipalities. The municipalities lost at the trial court level, and the decision was appealed to the 10th Circuit Court of Appeals. The 10th Circuit recently held oral argument on the matter. Best case scenario, the 10th District will issue a written opinion before the end of the year.

Capital Budget Grant: Ball Diamonds: We were required to obtain an extension on a lease for Fort Site Park. We could not do this until the archeology study was completed showing no area of concern. Chris Thompson and her crew completed the study and gave their findings to OHC. The study showed no findings of significant concern. OHC's legal team is working on the new lease. Once we have the lease, we can finalize the grant agreement with ODNR. The good news is that ODNR has given us the "go ahead" to incur expenses for this project, despite the fact that we don't have an executed grant agreement in place. The only catch is that we can't get reimbursement for the expenses until the agreement is final.

Bailey Property: We have closed on the Bailey property. The only remaining potential property acquisition is the purchase of a sliver of land from Joe Westgerdes. It is not required for the project to go forward; it would just make the layout better.

Christmas Party: We will have the Village Christmas Party at Brick Street Tavern on December 10th beginning at 6:00pm with a buffet dinner to be served at 6:30pm. Invitations are in the mail. Please RSVP to Erin.

Erin reporting for Randy: Ball Diamond: Diamond work is in the process. We have ordered lights and trash cans. We will be pouring concrete under the bleachers and pouring a sidewalk next spring.

Utility Dept: Aeration of the lagoons is being worked on. The effluent meter and composite sampling machine at the lagoons are being installed now. We are working on final plans and costs for the lime sludge press and caustic soda tank replacement.

Street Lighting: Miami Valley said they would be here by the end of October to put the new lights up. This hasn't happened yet.

2019 Budget: Randy is working with employees on the 2019 budget items which he will have at the next meeting.

Broadway Street: The OPWC District meeting will be November 19th. Randy and Choice One will be there to discuss our project. We should submit an application for CDBG after the first of the year.

Pavilion: If you have not been to the park recently, there is a lot happening. The floor is scheduled to be poured yet this week and all plumbing is roughed in through the floor along with the electric conduit. Mark Fullenkamp will begin framing soon.

Zoning: We held a meeting October 25th for a variance hearing. Fiely: The board approved a variance request (for setbacks) on the Wayne Street property where the old church was. They plan to build two houses there.

Cemetery: New signs are forthcoming. This is an Eagle Scout Project.

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Tree Commission: We are working on tree ID signs and the end of year application.

Minor requested an executive session to discuss employee wage reviews.

Important Dates: Merchants Open House November 11th. Village Christmas Party December 10th at 6:00 pm Brick Street Tavern; please R.S.V.P to Erin.

Poll Council: Schmitz: Just to let you know, they are working on the house on Wayne Street which we previously discussed. **Knapke:** On 119 there are two houses where the bushes are overgrown onto the sidewalk. **Wyerick:** I will check it out.

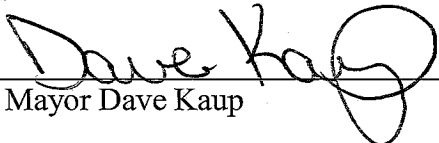
Mayor: Do I have a motion to enter into executive session to discuss employee reviews in accordance with Ohio Rev. Code 121.22(G)(1). Fiely made a motion to enter executive session seconded by Wendel. Vote all yes by roll call vote. All visitors left the room.

Pearson made a motion to exit Executive Session seconded by Knapke. Vote all yes.

Fiely made a motion to authorize Minor to prepare the wage ordinances to be presented at the next meeting, seconded by Schmitz. Vote all yes.

Council reviewed invoices #28169 to #28198 including then and now certificates, inter-departmental transfers and memo expense #180086 to #180090. Wendel made a motion to approve as presented, this was seconded by Post. Vote all yes.

Fiely made a motion to adjourn the meeting seconded by Wendel. Meeting adjourned at 8:55PM.



Mayor Dave Kaup



Roberta Staugler