

Held \_\_\_\_\_

February 18<sup>20</sup> 19

**CALL TO ORDER:** Mayor Dave Kaup called to order the Regular Council Meeting on February 18, 2019 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, PG Jellison, Leslie Gartrell, Neal Spencer, Jared Laux, and Jerry Guggenbiller.

The Mayor led with prayer and the Pledge of Allegiance.

**Reports to Council:** January Tax Report, January FINX, January Police, VA Report.

**Minutes:** Wendel made a motion to approve the February 4, 2019 minutes, which was seconded by Fiely. Vote all yes.

**Laux: Table-Top Exercise:** There will be a table-top exercise at the Fort Recovery Middle School on April 10, 2019 at 6:00 PM. This will be conducted by the Local Emergency Planning Commission, which is run through the Mercer County Emergency Management Agency. Members of the LEPC will engage in role-playing. It's a good way to learn without having to do a full-blown exercise. Some of the FREMS staff have been involved in the planning.

**Events:** With regard to upcoming events where FRPD will be providing security, there will be two tractor pulls this summer, the Jubilee, and the WOW event. We are working with the WOW planning committee to address a few issues, such as the presence of firearms during the event, getting law enforcement from other towns to help, etc. The WOW folks will be responsible for paying for the law enforcement from other towns.

**Ledgen Parker:** Ledgen is scheduled to start covering the weekends that Bill is currently covering on April 19. I will be riding with him that weekend. If all goes well, he'll be on his own thereafter.

**Pearson:** On the call report that is in Dropbox, you had a call for telecommunications harassment. What can you guys do about that? **Laux:** We find out who it is, give a verbal warning, and if they continue to engage in the harassment, we can charge them with telecommunications harassment.

### RESOLUTIONS/ORDINANCES

#### **ORDINANCE 2019-02 AN ORDINANCE REVOKING ORDINANCE 2011-10 TO ACHIEVE COMPLIANCE WITH RECENT STATE LAW CHANGES.**

**Minor:** The Ohio General Assembly recently passed House Bill 228, which virtually preempts a municipality's authority to enact and enforce local firearms restrictions. We currently have one ordinance on the books that would violate House Bill 228 if not revoke – Ordinance 2011-10. Ordinance 2011-10 was passed to facilitate the Civil War Reenactment that took place that year. Ordinance 2019-02 revokes Ordinance 2011-10 so the Village will be in compliance with House Bill 228 when the legislation becomes effective later this year.

**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 Fiely. Vote all yes by roll call vote.**

#### **ORDINANCE 2019-03 AN ORDINANCE SETTING FORTH THE SERVICES THE VILLAGE WILL PROVIDE TO A 48.194 ACRE TERRITORY PROPOSED FOR ANNEXATION TO THE VILLAGE.**

**RECORD OF PROCEEDINGS**  
**VILLAGE OF FORT RECOVERY REGULAR COUNCIL**

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

February 18, 20 19

**Minor:** This ordinance concerns the Cooper and J&M properties located north of the Village that are in the process of being annexed to the Village. As part of the annexation process, the Village must pass an ordinance setting forth the services it will provide to the properties in the proposed annexation territory. This ordinance satisfies that requirement. The ordinance also consents to the annexation.

**Pearson made a motion to suspend the rules seconded by Schmitz. Vote all yes by roll call vote. Fiely made a motion to pass the ordinance seconded by Knapke. Vote all yes by roll call vote.**

**RESOLUTION 2019-04: A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE A LEASE AGREEMENT WITH THE OHIO HISTORICAL SOCIETY FOR FORT SITE PARK.**

**Minor:** As you may recall, we have been working with the Ohio History Connection since mid-summer on a new lease for Fort Site Park. When we received Capital Budget Funds for, among other things, diamond work at Fort Site Park, ODNR informed us that we had to have at least a 15 year lease with OHC for the park before ODNR would send us a grant agreement. We have several years left on the existing lease for Fort Site, but not 15. We would have preferred OHC to simply renew our existing lease for another 30 years, which is the term under the current lease, but they wanted to enter into an entirely new lease. The new lease has a term of 15 years but will automatically renew for periods of 15 years thereafter without either party having to take any action. Once we get the fully executed lease to ODNR, we can get a grant agreement signed, which will allow us to get reimbursement for expenses we've already incurred in connection with the Capital Budget Fund Project.

**Pearson made a motion to suspend the rules seconded by Schmitz. Vote all yes. Post made a motion to pass the resolution seconded by Knapke. Vote all yes.**

**RESOLUTION 2019-05 A RESOLUTION TO ADVANCE MONEY FROM THE GENERAL FUND TO THE ODNR GRANT FUND.**

**Diller:** We are moving money into the grant fund to pay for project expenses. Once we get reimbursed from ODNR, that money will be put back into the General Fund.

**Pearson made a motion to suspend the rules seconded by Schmitz. Vote all yes. Wendel made a motion to pass the resolution seconded by Schmitz. Vote all yes.**

**RESOLUTION 2019-06 A RESOLUTION TO TRANSFER MONEY FROM THE GENERAL FUND TO THE VILLAGE-SHARE PROJECTS FUND.**

**Diller:** This transfer will help us to cover our share of the costs for projects we are finishing up.

**Pearson made a motion to suspend the rules seconded by Schmitz. Vote all yes. Fiely made a motion to pass the resolution seconded by Knapke. Vote all yes.**

**Diller (reporting for Wuebker): Benches:** We've had donations come in for four benches for the courts area. We'd like to put five there, so the Village will be buying one.

**Minor: Broadway Street Reconstruction Project:** We closed on the Bertke property on Friday. So now we have all the properties bought that we need for the Broadway Street Reconstruction Project.

**Annexation:** The annexation of the Cooper and J&M properties north of town is progressing. The next step is for the Commissioners to approve the petition. They can't

**RECORD OF PROCEEDINGS**  
**VILLAGE OF FORT RECOVERY REGULAR COUNCIL**

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO 10148

Held

February 18<sup>20</sup> 19

act for 25 days from the date the petition was filed, so we will have to wait a couple more weeks for the approval.

**Diller: Broadway Street Reconstruction:** As I've mentioned in the past, we don't need the sliver of land from Westgerdes that we've talked about. If we can work something out, great, but it's not necessary. Kate and I had a meeting last week with Jared Ebbing and the commissioners for CDBG funding. Jared thought it would be good for us to attend. We didn't discuss anything terribly substantive from a project standpoint. Applications are due in April. We will work with folks from Jared's office to get the application done. There is \$680,000 in CDBG funds available, in addition to the \$500,000 in OPWC funds that we've already applied for. If all goes according to plan, we'd like to bid the project this fall and have it completed by next fall.

**Utility Improvements:** Nothing new to report. We are still researching options for new aeration at the lagoons.

**Pavilion:** All is going well with the Pavilion. Mark Fullenkamp is supposed to be back this week to install the ceiling and the walls. Moeller's has installed the cladding that goes around the overhead doors. The bricks have been ordered. Mike Kahlig will be out there as soon as the weather is fit. We still haven't set a date for rentals. We don't know for sure when the building will be finished, so we don't want to commit to anyone. **Pearson:** Has there been a lot of interest in renting the Pavilion? **Diller:** Yes. We have about ten people on the list. **Pearson:** They want the pool too? **Diller:** Some. Many have shown interest in renting the Pavilion for graduation parties. Once Mike gets the brick on the building, we can get the new pool fencing installed.

**Annexation:** With regard to the annexation for Coopers and J&M, I've talked to Jared about obtaining grant funds to help pay for the utility extension. Choice One got the topo done last week; we are waiting for an updated engineering estimate that doesn't include a pump station because we shouldn't need one.

**Summer Hires:** Park Board took care of some summer hires at its meeting last Monday. We got the pool managers hired and some of the mowers. We are still taking applications for lifeguards and maintenance help.

**Cemetery Board:** The Cemetery Board met last week. The Board made me (Randy) the acting manager for now. Mike Walters expressed interest in becoming the manager, but since he is new to the Board, he wants to get some experience first.

**Research Committee:** The Research Committee will need to meet once the weather improves to tour the town to see what streets we may want to overlay this year.

**Safety Congress:** I (Randy) will be attending the Ohio Bureau of Workers Compensation Safety Congress soon. This helps us to get better rates on our workers comp insurance.

**Tax Incentive Council Review:** We have our annual Tax Incentive Council Review meeting coming up to discuss the three enterprise zone agreements the Village has with J&M.

**Community Club:** The Community Club fish fry will be March 2 at the Sportsmen's Club.

**Schmitz:** I saw in the Park Board minutes that we got some money from Coopers for the naming rights for the Pavilion? **Diller:** The Cooper Family generously donated the amount requested for naming rights. We aren't sure yet what the name will be. The money they donated will allow us to do some neat things with the Pavilion that we wouldn't otherwise be able to do. We're excited about putting the Cooper name on the building.

**RECORD OF PROCEEDINGS**  
**VILLAGE OF FORT RECOVERY REGULAR COUNCIL**

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 18, 20 19

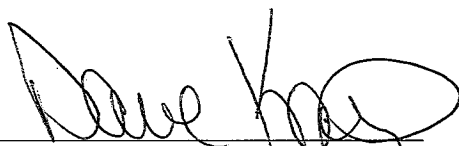
**Mayor:** This year's Community Service Award will be going to the Park Board. **Diller:** They will be recognized at the Chamber awards meeting in March. Bill Bechtol has been on the Board since May of 1981 – been on it since the board's existence. He's been the president since 1993. His term is up in 2021 and he indicates he will be done at that point, which will be 40 years of service. Bubba (Bob Staugler) has been on the Board since 1996. He became vice president in 1997. Harold Fiely has been on the Board since 1998. Tom Staugler has been on the Board since 2002. Dan Carr has been on it for 11 years. The Board is obviously a committed group and deserves the award because the parks have had many improvements and have never looked better.


**Council Poll:** Nothing to report.

**Council reviewed invoices #28433 to #28458 including then and now certificates, inter-departmental transfers and memo expense #190013 to #190015. Knapke made a motion to approve as presented, this was seconded by Wendel. Vote all yes.**

**Wendel made a motion to adjourn the meeting, seconded by Schmitz.**

Meeting adjourned at 8:13 PM.

  
\_\_\_\_\_  
Mayor Dave Kaup

  
\_\_\_\_\_  
Erin Minor