

VILLAGE OF FORT RECOVERY SPECIAL COUNCIL

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September 6,

11

CALL TO ORDER: President Rod Thobe called to order the Special Council Meeting on September 6, 2011 at 7:00 pm. at the Village of Fort Recovery Council Meeting Room.

Roll call was conducted with the following Council members present: Rod Thobe, Scott Pearson, Dave Garman and Dave Bretz. **Absent:** Al Post and Dave Kaup. **Also Present:** Randy Diller, Dave Bruns, PG Jellison, Catherine Franke and Roberta Staugler. The President led the Pledge of Allegiance and Prayer.

Reports to Council: Village Administrator Report, August Bank & Fund Balances and Income Tax Report.

Minutes: S Pearson made a motion to accept the August 15, 2011 minutes as presented. This motion was seconded by D Garman. Vote All Yes. **Executive Session:** D Bretz made a motion to go into executive session to discuss possible tax litigation (*correction: S Pearson seconded. Vote All Yes*). S Pearson made a motion to go out of Executive Session; this motion was seconded by D Bretz. Vote All Yes. S Pearson made a motion to authorize C Franke to take appropriate legal action with delinquent tax accounts. D Bretz seconded the motion. Vote All Yes.

Roberta Staugler presented inter-departmental transfers and August Bank Reconciliation for approval.

Randy Diller reported on projects: **Sewer Separation:** Everything is finalized except for prevailing wage documents which we are waiting on. The request for retainage payment of \$148,481.82 has been received. There is \$1,338.66 remaining in the grant, we will turn in a few bills that we paid to draw this. There is \$347,517.40 of the 0% OPWC loan that we are unable to draw. The interest rate on the Rural Development Loan is .25% lower than it was when we began the process. (3.625 % – 3.375%) which would save us \$4,000 per year on loan payments. We will meet with Nature's Green in mid September. Some lawns will need to be torn up and parts of Elm Street will need to be re-done and four or five other calls about lawns will be taken care of. D Garman made a motion to pay retainage amount of \$148,481.82 to VTF, S Pearson seconded. Vote All Yes. We will be meeting with USDA Rural Development to start closing process. It will be two or three weeks until check is paid out. VTF will be held responsible for seeding. **J & M:** The Utility Extension at J & M is completed, it went well. **Water Tower:** Took bacteria sample today. If it passes we will be back on line tomorrow. To meet with Choice One to talk about Phase II. This will be the second meeting about the water system. (Dave Kaup arrived) D Bretz asked if we checked into using both towers. Randy stated that the overflow regulators would draw water down at the same rate. The Valve works off pre-pressurized ratings, they cost \$30,000 each. Question is should we put money into an old tank? **Cemetery:** The damage has been repaired. They spent two days working on head stones; 90%-95% are back up. A dozen others will be resealed. Three days of work should easily finish it up. **Harrison Street; Street** work was to be done by the end of August. Work has not begun yet; the pool is now closed so traffic will be lighter which may be better. **RR Crossing;** The exemption hearing for the 119 crossing was held 8-18-11 here at our office. Randy testified. There were no other meeting attendees. The school and County had no issues. Buses and tanker trucks will no longer be required to stop. **Mailboxes:** Randy asked Council to think about mailboxes being placed in right of ways. Need to know how strict we should enforce the current zoning. Current zoning states that no construction is allowed in right of ways. We could make an amendment to the zoning. We cannot legally stop anyone from putting up mailboxes. **Bridges:** We received a letter from the County Engineer letting us know that we are responsible for bridge inspections after this year. We have one in alley behind Hastings and one on First Street. Randy asked if anyone knew of someone who may be certified to complete bridge inspections. **Speed Sign:** The County will put up a Reduced Speed Ahead sign on Union City Road at a cost of \$123.34. A sign will be ordered. **Encroachments:** Banks are now requiring more surveys on properties. This means we will have more homeowners requiring Encroachment Easements because their property is encroaching on village roadways and alleys. An ordinance authorizing R Diller to sign off on an encroachment for 214 S High Street was presented.

ORDINANCE: 2011-06 AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO EXECUTE ENCROACHMENT EASEMENT AGREEMENT D Bretz made a motion to suspend the rules with a second by D Kaup. Vote All Yes. D Garman made a motion to pass Ordinance 2011-06 with a second by S Pearson. Vote All Yes.

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RESOLUTIONS: 2011-28 A RESOLUTION TO ACCEPT THE LOCAL GOVERNMENT FUND AMOUNTS AND RATES BY MAJORITY OF COUNCIL AS DETERMINED BY THE MERCER CO BUDGET COMMISSION. D Bretz made a motion to suspend the rules with a second by D Kaup. Vote All Yes.

S Pearson made a motion to pass RESOLUTION 2011-28 with a second by D Kaup. Vote all Yes.

2011-29 A RESOLUTION TO ACCEPT THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING NECESSARY TAX LEVIES. D Bretz made a motion to suspend the rules with a second by D Kaup. Vote All Yes. S Pearson made a motion to pass RESOLUTION 2011-29 with a second by D Garman. Vote all Yes.

D Bruns will not be at the September 19, 2011 meeting.

Poll for Council Comment: None.

Council reviewed Vouchers #21475 and #21532 including Then and Now Certificates. D Kaup made a motion to approve vouchers as presented with a second by D Garman. Vote All Yes.

D Kaup made a motion to adjourn with a second by S Pearson. Meeting adjourned at 7:55pm.

Attest:

R Thobe, President

Roberta Staugler, Fiscal Officer