

RECORD OF PROCEEDINGS
VILLAGE OF FORT RECOVERY REGULAR COUNCIL

BEAR GRAPHICS 800-325-8094 FORM NO 10148

Held October 1, 20 18

CALL TO ORDER:

Mayor Dave Kaup called to order the Regular Council Meeting on October 1, 2018 at 7:30 pm at the Village of Fort Recovery Council Meeting Room to conduct regular business.

The Mayor swore in new council member Luke Knapke.

Roll call was conducted with the following Council members **Present:** Cliff Wendel, Luke Knapke, Greg Schmitz, and Al Post. **Absent:** Erik Fiely and Scott Pearson. **Also Present:** Randy Diller, Erin Minor, PG Jellison, Sydney Albert, and Chris Duhamel.

The Mayor led with prayer and the Pledge of Allegiance.

Reports to Council: Administrator's Report

Minutes: Wendel made a motion to approve the September 17, 2018 minutes; this motion was seconded by Schmitz. Vote all yes.

Minor volunteered to prepare tonight's minutes in Staugler's absence.

Mayor: I see that Chris (Duhamel) has joined us tonight. I know we were going to look into the issue of whether the Village could swap some land with you, Chris. **Minor:** I researched whether the Village can do a land swap/exchange. And the answer is yes. Next steps from here are: I will draft an agreement for the swap. At the next council meeting, council will be presented with an ordinance approving the agreement. Obviously, the parcels have to be surveyed. Once all that is done, we can exchange deeds for the parcels. One thing to note is that the parcels are virtually the same size – about two one hundredths of an acre difference (Village to transfer approximately .019 acres to Duhamel; Duhamel to transfer approximately 0.17 acres to the Village). **Randy:** Chris, why don't you come to the table and take a look at a map of the parcels. Randy explained the boundaries of the parcels using the map. **Chris Duhamel:** This looks pretty close to what my wife and I were thinking. I will discuss with my wife tonight and get back to you. I think we will want to do the swap. I think this option would be best for everyone. I'm also wondering whether the Village would be willing to sell me the lot where the old water tower used to sit. **Randy:** There is a water line running under that lot that is still in use. Casey's is going to tie into it. The line essentially runs down the middle of the lot. If we would sell the lot, whoever bought it would have to move the line so that it ran along the edge of the property. We couldn't just sell it to Chris; we would have to advertise the property for sale and accept bids. **Chris Duhamel:** How much do you think it would cost to re-route the water line? **Randy:** Probably around \$10,000. It's also important to note that there is a lot of buried concrete on the lot from the old water tower foundation. **Chris Duhamel:** If this is something I want to pursue, how do I move forward? **Randy:** You would have to let us know. Council would have to take action before the land could be put out for bid. Taking the required setbacks into consideration, you could build a 45 x 65 house on the lot. Just let us know if you want to pursue this option.

Zoning Board Appointment: Mayor: I've talked to Jerry Byram. He is willing to fill Cy Muhlenkamp's seat on the Zoning Board. Cy had to resign from the Board since he is no longer a resident of Fort Recovery. Wendel made a motion to approve the appointment of Jerry Byram to the Zoning Board. Schmitz seconded the motion. Vote all yes. The Mayor appointed Knapke to the ~~Design Review~~ Committee and Wendel to the Finance Committee.

* Research

Chief Laux: State Issue #1: We received some talking points from the Mercer County Sheriff's Department concerning Issue #1 (Chief provided all council members with a copy and put a copy in Dropbox). I put them on Facebook to let the public know where we stand on this issue. No law enforcement agencies support Issue #1. **Mayor:** Who is sponsoring this issue? **Minor:** Interestingly, billionaires, like Mark Zuckerberg, with no ties to the state of Ohio. **Diller:** I think this all came about because of the notion that persons shouldn't be incarcerated for lesser drug offenses. However, they are trying to do it by constitutional amendment. That's wrong. These sorts of changes should go through the legislative process with the General Assembly and Governor. Second, I don't like shifting expenses to local governments. Third, all law

*Correction 10/15/18 Meeting

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enforcement agencies are against this. We have a resolution prepared stating the Village's opposition to this issue. We'll present it to council at our next meeting.

Chief Laux: Bicycle Theft: As many of you know, there was a bike stolen from the school. We posted info on Facebook concerning the suspect. She hasn't been caught yet. Good news is the young man whose bike was stolen now has a new bike.

New Officer (Ledgen Parker): Ledgen has been doing some training. I'll be ordering him a new handgun soon.

Police Department Grants: I applied for a bullet resistant vest through the Attorney General's Office for Ledgen. I also applied for 3 active shooter kits. There's a 25% match requirement. We should hear soon whether we will be receiving funding.

Grants Department: Kate: I've been working on the OPWC application for the Broadway Street Reconstruction Project. We'll be wrapping that up soon. I've also been working with Jared on a JAG-LE grant through the Ohio Criminal Justice Service Office. We plan to seek funds for Ledgen to go from part-time to full-time during the duration of the grant. The application deadline is the end of this month.

Legal: Erin: Pavilion: Dan Jutte is going to try to pour the footers for the Pavilion this week. Folks can still order pavers from me. **Benches:** Folks can also order benches. We would like to put some in the courts area. Benches are \$1,250. **Randy:** We have some money that we appropriated for the Courts Project that we didn't spend – about \$6,000. If no one wants to donate a bench, we could use some of that money to purchase benches.

Kasich Executive Order: Last week, Governor Kasich signed an executive order requiring Ohio law enforcement agencies to upload certain protection orders and warrants into a database for the National Instant Background Check System to prevent people from illegally buying firearms. I've discussed this executive order with Chief Laux and the police department is aware of the executive order and will be complying with it.

Administrator's Report: Randy: William Street: Reseeding was done last week. The only thing left to do is plant a tree on Ben Schuh's property. That should be taken care of soon.

Wendel: Chief – Mr. Schuh would like you to monitor tire squealing by students after school lets out. **Chief:** I'm aware of the problem, and we will do what we can to stop it.

Randy: Courts Project: The Courts Project is done. We've received our final reimbursement from the State.

Ball Diamond Improvement Project: We are working on all aspects of the Ball Diamond Improvement Project. Just about every piece of the project is in the works right now. The diamond work will be done this month. We'll be ordering the trash cans soon. We are also working with concrete contractors to pour concrete under the bleachers.

NatureWorks: We should hear from ODNR soon whether we will be receiving any NatureWorks funding for the 2018 funding cycle. We applied for funds to put shading over the dugouts, funds to purchase new bleachers with handrails, and funds for new entrance signs for Community Park and the pool.

Utility Improvements: We are looking for the best solution long term for aerators in the lagoons. We are continuing to work on a lime/sludge press and the caustic soda tank replacement. These items are scheduled for next year but we are working on them already.

Broadway Street Reconstruction Project: We have legislation that we must have passed by next Monday as part of the application process. Since we can't pass legislation tonight, we will have to call a special meeting later this week. We met with Ryan Lefeld from Choice One today and the revised project estimate is around \$1.5 million. That includes \$220,000 in contingency

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and inflation. So the real project cost is closer to \$1.3 million. We are applying for OPWC Small Government Funds totaling \$500,000. We are also applying for CDBG funds totaling \$630,000. If all this funding comes through, that would be about \$1.3 million in grant funds to help with project costs. Engineering costs are not included in the engineering estimate because we get less points through the OPWC application process if we include those costs. We estimate the engineering costs to be around \$100,000. **Mayor:** Any problem with ODOT regarding this project? **Randy:** No. They are not involved at all. We are going to build the road to their specs. If they don't want to make it the new SR 49, then we can just make it a truck route. **Schmitz:** Have we talked to businesses about how this will improve their bottom line, companies with lots of trucks, like Coopers? **Randy:** Yes we have. And we expect their input to play a role down the road when we try to tap into other sources of funding for related projects.

Street Lights: We are still working to get lighting on SR 49. I've been told that they will be installed by the end of October.

Finance Committee Meeting: I would like to have a finance committee meeting prior to the October 15th council meeting, probably at 6:45 PM. **Wendel:** I'll be out of town. If we have it this week, I should be able to make it.

Upcoming Events: The Cruise-In is Saturday, October 13th; the One-of-a-Kind-Auction is Sunday, October 21st.

First Thursday in the Fort: The Merchants Association has requested approval to close the public parking lot located at 126 N. Wayne Street on November 1, 2018 from 4:00 PM to 10:00 PM for a "First Thursday in the Fort" Fall Festival event. They plan to obtain a liquor license and sell beer only within the area being designated using wooden barricades to block off the parking lot. Knapke made a motion to authorize the closing of the public parking lot located at 126 N. Wayne Street for the purpose of the "Merchant Association First Thursday in the Fort" Fall Festival on Thursday, November 1, 2018 from 4:00 PM to 10:00 PM. Wendel seconded the motion. Vote all yes.

Executive Session: I need an executive session for the purpose of considering a real estate purchase.

Poll council. Nothing to report.

Mayor: I need a motion to enter executive session to consider the purchase of property in accordance with Ohio Rev. Code § 122.22(G)(2). **Wendel made the motion. Schmitz seconded. Vote all yes by roll call vote.**

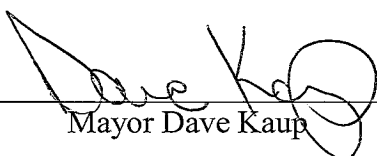
Wendel made a motion to exit executive session. Post seconded. Vote all yes.

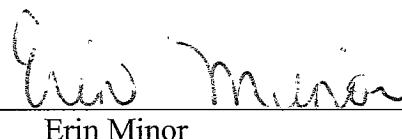
Council instructed Minor to prepare a purchase and lease agreement for the home owned by Michael C. Bailey at 206 East Broadway Street, as well as an ordinance approving the agreement and authorizing the Mayor and Fiscal Officer to sign on behalf of the Village.

Wendel made a motion to pay the bills. Post seconded. Vote all yes.

Council reviewed invoices #28130 to #28148 including then and now certificates, inter-departmental transfers and memo expense #18076 to #18079. Wendel made a motion to approve as presented, this was seconded by Schmitz. Vote all yes.

Post made a motion to adjourn the meeting seconded by Knapke. Meeting adjourned at 9:10 PM.


 Mayor Dave Kaup


 Erin Minor