

## VILLAGE OF FORT RECOVERY REGULAR COUNCIL

April 4,

16

**CALL TO ORDER:** President Dave Bretz called to order the Regular Council Meeting on April 4, 2016 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, Al Post, Dave Garman, Scott Pearson and Dave Bretz. **Absent:** Mayor Dave Kaup **Also Present:** Randy Diller, Roberta Staugler, PG Jellison, Erin Minor, Ed Gebert, Rod Thobe and Brandon Wyrick.

**Reports to Council:** Village Administrators report.

**The President led with Prayer and the Pledge of Allegiance.**

**Minutes:** Fiely made a motion to approve the March 21, 2016 minutes seconded by Pearson. Vote all yes.

**Poll Visitors:** Nothing to report.

**\*\*2016-08 RESOLUTION AUTHORIZING MAYOR TO DISCARD OR SALVAGE VILLAGE PROPERTY.** Bretz made the motion to suspend the rules seconded by Pearson. Vote all yes. Wendel made a motion to pass the resolution seconded by Post. Vote all yes.

**\*\*2016-09 RESOLUTION TO TRANSFER \$1,190 FROM THE GENERAL FUND TO THE CEMETERY PERPETUAL CARE FUND.** Bretz made the motion to suspend the rules seconded by Pearson. Vote all yes. Post made a motion to pass the resolution seconded by Wendel. Vote all yes.

**\*\*2016-10 RESOLUTION ADOPTING A POLICY FOR TABLET USE BY COUNCIL** Bretz made the motion to suspend the rules seconded by Pearson. Vote all yes. Post made a motion to pass the resolution seconded by Fiely. Vote all yes.

**\*\*2016-05 RESOLUTION TO DECLARE IT NECESSARY TO CONSTRUCT OR REPAIR SIDEWALKS AND CURBS ON ELM STREET** Bretz made the motion to suspend the rules seconded by Pearson. Vote all yes. Post made a motion to pass the resolution after the third reading seconded by Fiely. Vote all yes.

**\*\*2016-06 ORDINANCE SETTING FORTH RECOMMENDED PENALTIES FOR TAX VIOLATIONS.** Post made a motion to pass the ordinance to the second reading seconded by Fiely. Roll call vote all yes.

**\*\*2016-05 ORDINANCE GRANTING MIDWEST ELECTRIC OPERATING RIGHTS IN THE VILLAGE.** Fiely made a motion to pass the ordinance to the third reading seconded by Garman. Roll call vote all yes.

**Randy Diller:** We have two pending zoning map amendment changes. Dan Carr submitted an application to change his three lots uptown on Broadway and Wayne Streets from R-3 to C-1. The Planning Commission has recommended this change. We need to take action tonight on this request. Carr has withdrawn his application to rezone a part of his property in the industrial park from I-1 to R-3. He submitted a joint application with Nick Wehrkamp and Vernon Luster to change the zoning on the lots from R-3 to R-1A and part of Carr's Sharpsburg Road property from I to R-1A. The Planning Commission met on March 24<sup>th</sup>. They voted to recommend approval of the application. A Public Hearing on the proposed zoning changes is scheduled for May 2<sup>nd</sup> at 7:00pm. **Fiely made a motion to authorize Dan Carr to change the zoning on his 103 & 105 E Broadway and 304 N Wayne Street lots from R-3 to C-1 seconded by Garman. Vote all yes.**

**\*\*2016-07 ORDINANCE CHANGING ZONING CLASSIFICATION ON REAL ESTATE.** Post made a motion to pass the ordinance to the second reading seconded by Fiely. Roll call vote all yes.

**Erin Minor: Grants:** No news since last meeting. I anticipate Ohio Dept of Commerce will act soon on the Fire Dept application we submitted in January.

**Walking Trail:** We are waiting on news from the Federal Highway Administration.

Erin stated that we need to hold an Executive Session at tonight's meeting to discuss litigation.

**Randy Diller:** The 119/49 intersection looks good; we will continue to monitor it.

**Projects: S Elm Street:** Choice One will drop off final documents Thursday and we will award the bid on May 2<sup>nd</sup>. I would like the property owners to come in and look at the prints. Decided the meeting will be planned for 7pm prior to the April 18<sup>th</sup> Council Meeting.

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**2016 Street Overlays:** Contracts are back and have been signed. Erin will look them over. I will meet with Rick Buehler tomorrow to review. Project may be complete in June or July, not sure.

**Lagoon Improvement Project:** Will meet with Choice One this Thursday to review final specs. Project will be around \$100,000. It looks like we will be able to install the curtains ourselves. Will plan to advertise and bid out sometime in the next several weeks. Nothing new on the sanitary work on 49. We are waiting on seeding work.

**Waterline Butler/Elm:** Project has been completed. Ready for the state to come through. They will grind in the next week or so.

**Park Board:** Nothing new to report. Park tour is next Monday at 6pm. Hope to put final list of maintenance projects together soon.

**Auction:** Unused equipment will be auctioned off on May 7<sup>th</sup> at 10:00am.

**Street Planning:** Randy is pretty certain we will be available for OPWC Funds next year. I want to do a big project that we couldn't do without the funds. Do we want to plan for a potential re-route of SR 49 on Broadway Street? Estimates that we have do not include property acquisition. We could apply for ODOT funds also. **Garman:** Do we have confidence the state will fund in a timely manner? **Diller:** It would be 2018 before the re-route project could be started. Economic Development funding is out there also. We would need to get commitments from industries for those funds. There used to be transportation enhancement money available thru ODOT too. If the project is not possible we could fall back on other projects like Caldwell and First streets. Council agreed.

**Water Plant Study:** We received a draft report. They have made changes to the way we run and the amount of chemicals that has already made a huge difference. The water plant roof will be replaced by Technique Roofing soon.

**Important Dates:** April 11<sup>th</sup> at 6:00pm will be the Annual Park Tour followed at 7:00pm with the regular Park Board Meeting. April 18<sup>th</sup> 7:00pm Meeting with South Elm Street residents affected by street reconstruction. May 7<sup>th</sup> Town Clean Up and auction of village unneeded items.

Amanda Weyerick conducted a mini training session for council on the new tablets they received for village use.

**Poll Council:** Pearson asked if pile of sticks could be picked up at the cemetery on Washington Street. Randy said they were around today for the April pick up.

**Fiely made a motion to go into Executive Session to discuss the annexation litigation seconded by Wendel. All yes by roll call vote.**

**Wendel made a motion to exit Executive Session seconded by Fiely. Vote all yes.**

**Council authorized Minor to prepare a Resolution to hire Judy Koesters to assist with litigation. They also instructed Minor to prepare a counteroffer settlement agreement for council to review.**

**Council Reviewed Invoices #25907 thru #25962 including then and now certificates, memo expenses and interdepartmental transfers. Wendel made a motion to approve as presented with a second by Fiely. Vote all yes.**

**Wendel made a motion to adjourn the meeting seconded by Fiely. Meeting adjourned at 9:49 pm.**

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President Dave Bretz

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Roberta Staugler