

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

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

AUGUST 1, 20 16

**CALL TO ORDER:** President Dave Bretz called to order the Regular Council Meeting on August 1, 2016 at 7:30pm at the Village of Fort Recovery Council Meeting Room.

**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, Erin Minor, PG Jellison, Brandon Wyerick, Ed Gebert and Neal Spencer. **The President led with Prayer and the Pledge of Allegiance.**

**Reports to Council:** Village Administrators report, July Income Tax Report, Auditor of State AUP Report.

**Minutes:** Wendel made a motion to approve the July 18, 2016, minutes seconded by Post. Vote all yes.

**Poll Visitors:** Brandon Wyerick reported the tractor pulls went well with a few minor incidents.

**RESOLUTIONS:**

**2016-21 RESOLUTION TO AMEND APPROPRIATIONS.** Pearson made a motion to suspend the rules seconded by Garman. Vote all yes. Post made a motion to pass the resolution seconded by Wendel. Vote all yes.

**2016-22 RESOLUTION TO TRANSFER \$115,264.00 FROM GENERAL FUND TO VILLAGE SHARE-RECREATION TRAIL** Pearson made a motion to suspend the rules seconded by Garman. Vote all yes. Post made a motion to pass the resolution seconded by Wendel. Vote all yes.

**Roberta Staugler:** The 2014-2015 Agreed Upon Procedures Review by the Auditor of State final report was received today and included with Councils reports. There were no exceptions to be reported. The plan is to conduct one more AUP Review for 2016-2017 and then 2018-2019 will be a complete audit. Each AUP review saves the Village \$5,000 in audit costs. July Income tax report was also included in Council reports. 2016 YTD is within \$6,551 of 2015 YTD.

**Erin Minor: Recreation Trail Grant:** The bids were opened July 28<sup>th</sup>. The engineers estimate was \$268,881. The lowest bid was received by Tom's Construction in the amount of \$230,264. Which was \$40,000 under the Engineer's estimate. **Diller:** They will be completing extra dirt work which made the estimate higher than the original \$210,000 we were planning on. The lights will be supplied by the contractor. Additional costs were included in the estimate for dirt being transferred to the proposed courts, a retaining wall east of the baby pool and some necessary fence work. Chris from Tom's Construction said everything will be completed this fall except possibly seeding. Tom's Construction also will be constructing Elm Street the week of August 15<sup>th</sup>. Then they plan to jump over and do the recreational trail. **Wendel:** When will we be constructing the tennis courts? **Diller:** We just received the paperwork today. It must be completed by 2018. **Wendel:** Why are we planning on two tennis courts? **Diller:** Have you ever seen one tennis court? There is a new game called pickle ball, which is a version of badminton that people are using tennis courts for too. There will be a single basketball court with lower nets at the other end.

**Wendel made a motion to approve the bid from Tom's Construction in the amount of \$230,264 for the construction of the Recreational Trail seconded by Fiely. Vote all yes.**

**Minor: Park Benches:** Eight benches were installed around the Community Park playground. Two additional contour benches will be installed at the baseball diamonds when concrete pads have been installed. We also have four park avenue benches to be installed around the recreational trail. I have also ordered two additional benches. If you know of anyone that wants to donate a bench have them contact Erin.

**Historical Society:** Erin has been helping the Historical Society with contracts. An agreement was drafted for the mural which will be placed on the Second National Bank building. The Historical Society sold the building north of SNB. Minor also drafted an sale agreement for them.

**Open burning:** We had a question about open burning at the last meeting. There is a restriction of burning within 1,000' of the village limits. You can't burn brush, trees or shrubs. The Sheriff will not get involved in open burning complaints. We can contact EPA if someone is causing problems with open burning.

**Minor ended by requesting an executive session to discuss litigation and possible village purchase of real estate.**

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

BEAH GRAPHICS 800-325-8094 FORM NO 10148

Held AUGUST 1, 20 16

**Randy Diller: South Elm Street Reconstruction:** We have the street lights ready. We will verify the construction start date. They were looking at August 15<sup>th</sup> as a beginning date.

**Lagoons:** Nothing new. We are waiting on information. We want to get this project done this year.

**Lester Street:** We are working on a utility extension on Lester Street for one possibly two houses. We have measured and shot the elevations.

**Industrial Park:** We have a small re-route of a sanitary line that goes right through the center of a lot. The drainage work is completed. We have a dedicated overflow which will direct the water. Kahlig's are working on the elevation and then we will seed it. If that doesn't work we will concrete it.

**Fort Recovery Monument:** Oho History Connection will open bids on the work to be done on the monument. They will tuck point, re-mortar and work on the drainage at the base. The Village is not involved. We will only supply water for the mortar and the grinders.

**Railroad Street drainage:** Randy is working with Coopers and others on the storm drainage issue. The plans are back from Choice One for the Industries, Mercer Electric and Cooper Farms. Randy also met with VanTillburg Farms last Thursday. Fort Recovery Industries have created a more defined water way. **Bretz:** Is the ditch going to overflow into the pond? **Diller:** It looks like it, but no it won't. In theory it could but they are using the Villages zoning rules even though they are not currently in the Village. It will take care of the fast rains but if we get what is called a 100 year flood it will still flood because it is a flood zone area.

**Williams Street Reconstruction:** Nothing new to report. We will submit the application shortly.

**Poll Council:** Nothing.

**President:** "Do I have a motion to enter executive session to discuss litigation involving the Village that is currently pending before the Mercer County Court of Common Pleas, in accordance with Ohio Rev. Code § 121.22(G)(3), and the Village's purchase of property for public purposes, in accordance with Ohio Rev. Code § 121.22(G)(2)."

**Wendel made a motion to go into Executive Session to discuss litigation seconded by Fiely. Vote all yes by roll call vote. Wendel made a motion to exit Executive Session seconded by Fiely. Vote all yes.**

**Diller** asked Councils opinion on whether to install a one inch or six inch water line to service the lots on Lester Street. Council agreed to install a six inch which would cover the possibility of other lots being developed in the future.

**Council Reviewed Invoices #26250 thru #26277** including then and now certificates, memo expenses and interdepartmental transfers. Wendel made a motion to approve as presented with a second by Pearson. Vote all yes.

**Pearson made a motion to adjourn the meeting seconded by Fiely. Meeting adjourned at 9:29 pm**

President Dave Bretz

Roberta Staugler