

RECORD OF PROCEEDINGS
VILLAGE OF FORT RECOVERY REGULAR COUNCIL

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

October 16, 20 2017

CALL TO ORDER: Mayor Dave Kaup called to order the Regular Council Meeting on October 16, 2017 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, Scott Pearson and Dave Bretz. **Absent:** Dave Garman **Also Present:** Randy Diller, Roberta Staugler, Erin Minor, PG Jellison, Sydney Albert, Julie Valentine, Jared Laux, Jerry Guggenbiller and Neal Spencer.

The Mayor led with prayer and the Pledge of Allegiance.

Minutes: Fiely made the motion to approve the October 2, 2017 minutes seconded by Pearson. Vote all yes.

Reports to Council: VA Report, September Finance and Police Reports.

Poll Visitors: Jared Laux informed council there have been some thefts recently from K & L and Hull Brothers of tires and batteries. The police department is working with the businesses to apprehend those responsible for the crimes. Jared asked if there has been a decision made on whether to purchase flashing speed limit lights on Sharpsburg Road. Randy stated that he is working on quotes.

RESOLUTION/ORDINANCES

RESOLUTION 2017-29 A RESOLUTION TO AMEND 2017 APPROPRIATIONS. Pearson made a motion to suspend the rules seconded by Wendel. Vote all yes. Post made a motion to pass the resolution seconded by Pearson. Vote all yes.

Minor: At the last meeting, Council agreed to extend the medical marijuana moratorium by six months to April 3, 2018 and to grant Randy the authority to extend the moratorium for six months thereafter to October 3, 2018, which would be shortly after the September 8, 2018 deadline for full implementation of the medical marijuana control program. This ordinance would accomplish that. The ordinance is retroactive to October 3, 2017.

ORDINANCE 2017-16 AN ORDINANCE TO RETROACTIVELY EXTEND THE MORATORIUM ON ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA CULTIVATORS, PROCESSORS AND RETAIL DISPENSARIES. Pearson made a motion to suspend the rules seconded by Wendel. Vote all yes by roll call vote. Fiely made a motion to pass the resolution seconded by Post. Vote all yes by roll call vote.

Erin Minor: NatureWorks Grant: Jerry has finished installing the playground near shelter house #4. He has also installed two benches around the playground. We will seek reimbursement from ODNR for the full amount of the grant once all bills have been received and paid. The grant was for \$16,000 and Cooper Farms also donated \$20,000 toward this project. **Wendel:** My family is enjoying the new expression swings. **Minor:** With regard to our 2017 NatureWorks application, we are still waiting to hear if we will receive funding to replace the fence around the pool.

Pavilion: We are waiting on local contractors and subcontractors to submit bids for the construction of the Pavilion. Also, it is not too late to make donations or purchase pavers. Our plan is to begin construction of the Pavilion mid-summer 2018 and to be able to rent the building in the Spring of 2019.

Annexation: Leuthold: We will wait the statutorily-required 60 days to pass the ordinance accepting the annexation. We will read the ordinance at the November 20th meeting.

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Income Tax: There is a group of municipalities coming together to challenge municipal income tax changes mandated by HB 49 (the state budget bill that was signed into law earlier this year) and HB 5, which passed in 2014. To date nothing has been filed. We are waiting to see how this progresses. **Diller:** The Dayton paper reported that there are a number of municipalities jumping on board to sue the state.

Randy Diller: Project updates: William Street: Nothing new to report. This project will begin in late winter or early spring.

First Street Utility: The project is complete. There will be a crew in tomorrow or Wednesday to touch up some seeding.

Water Department: The lime sludge spill is all cleaned up and is complete with respect to paperwork which has been submitted to EPA. EPA was out to verify that it was cleaned up.

NPDES Permit: We are waiting for the comment period to be up; thereafter, we expect to receive the final permit. With regard to the NOV for the water plant, the filter media replacement is complete, and the CO₂ tank is up and running. This just leaves replacement of the caustic tank, which doesn't have to be done until 2020.

Park Board: We expect that they will begin construction on the Courts Project next month.

Nature Works: The new playground is finished. The seeding is done. We will be finalizing the grant paperwork.

Zoning: On October 9th the Zoning Board held a public meeting to discuss the old Home Idea Building. W&L Holdings had a request for a conditional use permit. The building will be used for a professional business for Amy Wendel and Performance PT; they will also store a traveling DOT Training vehicle in this building. This was approved by the Zoning Board.

Tree Commission: The trees have been ordered and should be planted this fall.

Research Committee: Randy informed the committee that we need to schedule a time to meet and take a trip around town to review the streets to help update the five year plan.

Leuthold Annexation: The utility extension is complete and the road has been patched.

State Route 49 N Reroute: Randy met with a couple of adjacent property owners. Meetings are still going on. He plans to have more information for council in the next month or two to help figure a plan to present to ODOT.

Important dates: November 12th Merchant open house 11:00am to 5:00 PM.

Randy Diller requested Executive Session to discuss Employee Wage Reviews and possible Real Estate Purchases.

Poll Council: Pearson: The street light near Pak-a-Sak is flashing. **Jerry Guggenbiller:** This is a socket problem. Paul has been going back and repairing them with locktite. **Bretz:** Where are we with the reseeding at Mandy Muhlenkamp's property? **Diller:** That will be taken care of.

Mayor: Do I have a motion to enter executive session to discuss the annual employee compensation review in accordance with Ohio Rev. Code §121.22(G)(1) and to discuss the purchase of property in accordance with Ohio Rev. Code §122.22(G)(2)? **Wendel made a motion to enter executive session to discuss annual employee compensation reviews and to discuss the purchase of property seconded by Fiely. Vote all yes by roll call vote.** Minor and Staugler left the meeting prior to the employee compensation discussion.

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Wendel made a motion to exit Executive Session seconded by Wendel. Vote all yes by roll call vote.

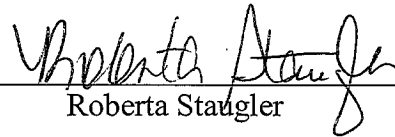
Council requested Randy meet with employees to discuss annual wage reviews and to continue to negotiate on real estate purchases.

Council reviewed invoices #027308 to #027334 including then and now certificates, inter-departmental transfers and memo expense #201764 to #201767. Pearson made a motion to approve as presented, this was seconded by Fiely. Vote all yes.

Wendel made a motion to adjourn the meeting seconded by Post. Meeting adjourned at 9:15 PM.



Mayor Dave Kaup



Roberta Staugler