

RECORD OF PROCEEDINGS
VILLAGE OF FORT RECOVERY REGULAR COUNCIL

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held March 19, 2018

CALL TO ORDER: President Dave Bretz called to order the Regular Council Meeting on March 19, 2018 at 7:30 pm at the Village of Fort Recovery Council Meeting Room to conduct regular business. Mayor Kaup was attending the Mercer County Health Department annual meeting.

Roll call was conducted with the following Council members **Present:** Erik Fiely, Cliff Wendel, Al Post, Greg Schmitz, Scott Pearson and Dave Bretz. **Also Present:** Randy Diller, Erin Minor, Roberta Staugler, PG Jellison, Sydney Albert, Ray Cooney, Jared Laux and Jerry Guggenbillier.

The President led with prayer and the Pledge of Allegiance.

Minutes: Wendel made the motion to approve the March 5, 2018 minutes; this motion was seconded by Fiely. Vote all yes.

Reports to Council: VA Report, February FINX & Bank Balance, Income Tax and Police Reports.

Poll Visitors: Chief Jared Laux will be offering Self Defense Classes for students and adults. A waiver was prepared by Erin for the class. Wright State University forwarded to us a purchase order in the amount of \$6,500 to buy our 2008 Blazer when the 2018 Dodge Ram Cruiser is delivered.

RESOLUTION/ORDINANCES

RESOLUTION 2018-04 A RESOLUTION TO AMEND APPROPRIATIONS. Pearson made a motion to suspend the rules seconded by Schmitz. Vote all yes. Post made a motion to pass the resolution seconded by Wendel. Vote all yes.

Staugler: The 2017 Annual Report has been forwarded to the Auditor of State and a copy was placed in Council Drop Box for review. The Audit for 2016-17 has not yet been scheduled by the state. Staugler will be attending the Annual AOS Conference 3/21/18 - 3/23/18.

Pearson made a motion to approve Second National Bank as a depository and to authorize Mayor, President and Fiscal Officer to enter into an agreement good through 3/31/23. This motion was seconded by Schmitz. Vote all yes.

Staugler: We looked at accepting credit cards in the past and opted not to due to the added process steps for our employees. The time has come to move forward as we are getting many requests from residents to use their credit/debit cards to pay for utility deposits and other necessary payments. After reviewing several companies, GovPayNet seemed to be the best choice as it is geared for government, offers free equipment, and has lower fees. The Village will not incur any fees; the fees will be paid by the user as a convenience fee. We will have a card swipe in the office and be able to offer payments on our website or by phone.

Wendel made a motion to authorize the Mayor and Fiscal Officer to enter into an agreement with GovPayNet Payment Network to accept payments on behalf of the Village of Fort Recovery seconded by Fiely. Vote all yes.

Staugler received the annual notice from the Department of Commerce Division of Liquor Control. Council was informed that the liquor licenses issued in the Village of Fort Recovery will expire on June 1st. Council has the right to object to the renewal of any liquor license. Council members did not have an objection to renewal of any liquor licenses at this time.

The February bank reconciliation was approved by Council.

Minor: DP& L Right Tree Right Place Grant: We did not receive this grant. DP&L is supposed to make an announcement tomorrow regarding the three recipients that did receive funding.

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NatureWorks Grant: Our application deadline of May 1st was pushed back to June 1st. The last two years this grant was just under \$16,000. We were the recipient of the grant both years. This year the grant will be for \$31,702. We may be adding to the proposed application for new entrance signs to the Community Park, Fort Site and Ambassador Pool. We are still considering the design of the signs. We have posted a survey on Facebook asking residents which of three designs they like best. We will take the chosen design and scale it down for the Ambassador Pool sign. Display Craft has prepared the designs for us.

Erin informed council that she has been assisting the Ambassador Club with grant and foundation applications for their restroom/shower facility. The cost of their project is \$225-\$250,000.

Capital Budget Bill: We were approved for \$140,000 in funds to be used for ball diamond improvements. We have checked off all items on our want list for the ball diamonds. We expect to hear from ODNR soon regarding the grant agreement.

Pavilion: Plans have been submitted to the state for review and approval.

Taste of The Fort: The event will be held Wednesday June 13th from 5:30pm – 7:30 pm. The Friends of the Arts will be sponsoring a band and the Sorority will host beer and wine tasting. To date, ten vendors have committed to participating. **Pearson made a motion to authorize the closing of the 100 block of N Wayne Street for the purpose of the “Taste of Fort Recovery-Beer & Wine Tasting” event to be held by the Fort Recovery Harvest Jubilee from 12:00pm until 11:00pm on Wednesday, June 13, 2017. This motion was seconded by Fiely. Vote all yes.**

Tax Law Suit: An additional 28 cities and villages have requested to join the appeal challenging the Franklin County Court of Common Pleas decision finding the municipal income tax provisions of HB 49 constitutional. **Bretz:** Shouldn't we all do it? **Minor:** There is a fee to participate, and we felt that larger municipalities were better suited to shoulder the financial burden of the lawsuit; locally Celina and Minster joined the suit. **Diller:** We didn't feel it would have made a difference. In the end the judge ruled on constitutionality. Would it have made a difference to the jury? Maybe. **Bretz:** It affects everyone. **Minor:** Yes, it does. Our position is that that judge's ruling was not contingent upon how many municipalities were signed on as plaintiffs. He made his decision based on his interpretation of the law.

Randy Diller: William Street: The preconstruction meeting with Tom's Construction will be set up soon.

Courts Project: They began pouring concrete footers and walls for the courts project. All the underground work is done and they have cut in the drive for the parking. There will be a pay request to present at the next meeting.

Utility: Lagoon: They are working on the installation of an effluent meter and a composite sampling machine at the lagoons as requested by EPA. They are also conducting a pilot study on the lime sludge. It has good possibilities and will not be a huge expense. It will cost us approximately \$30,000 to eliminate the lime sludge pond.

Capital Budget Bill: The diamond improvements will include redoing the four diamond infields, adding a grass filter and cutting them bigger. We will add lights on diamond 3, pour concert under the bleachers and also add walkways. We hope to also add shade canopies for the dugouts. **Fiely:** When will construction begin? **Diller:** The earliest it will begin is this fall. **Minor:** It will depend on when we get the grant agreement executed. **Diller:** We will work on determining when the project will be bid and how it will be structured.

Research Committee: The Research Committee met tonight to tour the town. We made a list of how we plan to spend the \$100,000 budgeted this year for overlays. There are four areas which will be prioritized. 1) Industrial Drive West 2) Center Street 3) Parking area behind the

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businesses downtown 4) Black Eagle Drive. Randy will come back to council with a report after the list has been compiled.

Garbage Contract: The bid opening was held on March 13th. Two bids were received; Mahargs and Rumpke. Mahargs, which is our current provider, submitted a bid for a 3-year contract with a 2-year extension at the same price they currently charge for bags. Bid price for Garbage Bags \$1.45, Recycling Bags \$.70 and Yard Waste Bags \$1.05. We would be supplied two dumpsters for village use, a weekly collection at the village hall, one village wide clean-up day per year and continuation of the special tag program. Mahargs will continue to remit \$.20 per garbage bag back to the village.

Rumpke did not submit a bag system bid. They offered an alternate bid that would provide residents with a 95 gallon trash cart along with an 18 gallon recycling bin each to be collected weekly. The cost would be \$18.50 per month for 1-3 years, \$18.87 for year 4 and \$19.25 for year 5. They would reimburse the village \$.75 per container per month. All residents would be charged the same fee. They could offer a 65 gallon cart at a lesser fee for elderly. Rumpke would not have a tag system; they would allow residents to place up to three large bulky items out one week per month at no charge.

Under Rumpke's system, everyone pays the same amount; if a person creates only two bags of garbage per month, he would still pay \$18.50 per month. I think having people pay for what they use is a fairer way. **Post:** Residents would have to clean out the carts. **Wendel:** Having the carts does not give anyone an incentive to recycle. **Wendel made a motion to authorize the Village Administrator sign a contract with Mahargs for Village trash collection, this was seconded by Fiely. Vote all yes.**

Tax Incentive Review: The annual meeting was held to review the Enterprise Zone Agreements with J&M Mfg. This was the 6th, 4th and 3rd years to review the existing agreements. Five years ago J&M had a down turn where they went from 189 employees down to 93 employees. As of the end of 2017 they now have 139 employees and have hired three more which puts them at 142. Things have picked up for J&M across the world, particularly in South Africa and European countries. They are shipping carts out every week. The bean price is up, and they are feeling good looking towards 2018 and 2019. They are doing what they can to recover. The Tax Incentive Review Committee recommends continuation of the agreements. **Bretz:** Don't you have to hire more employees? **Diller:** To qualify, you must create at least two jobs, which they did. Will the state be concerned? Not particularly as J&M was not the only company caught in the down turns. Historically, the agricultural industry goes through high and low cycles. **Fiely made a motion to extend J&M Mfg.'s three Enterprise Zone contracts for an additional year, seconded by Wendel. Vote all yes.**

Casey's General Store: Randy has looked at the proposed site layout, signage, and utility connections. They've ordered additional traffic study for the ingress/egress on Elm Street

Diller: We will need to have an executive session to discuss the purchase of property.

Broadway Truck Route: Randy and Erin met with Jared Ebbing, ODOT and Choice One to discuss and determine the best way to proceed with this truck route project. There may be some funding available through Jobs Ohio, depending on local businesses hiring and making capital investments. If it looks like it is a doable project from a funding standpoint, then the potential is there to move forward.

Choice One will hold their annual Charity Cup event next Wednesday at Shelby Oaks. Council is invited to attend.

Wabash Road: The County is working on Wabash Road. They will bid the work on the curve, and the county will install the culvert and drainage. We should see a new road this year. They will also come up to the edge of town and extend the roadway so there is no bottleneck. Paving will be scheduled in 2019.

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President: Do I have a motion to enter executive session to discuss the purchase of property in accordance with Ohio Rev. Code § 121.22(G)(1)? Fiely made a motion to enter into executive session seconded by Wendel. Vote all yes by roll call vote.

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

Wendel made a motion to authorize the Mayor and Fiscal Officer to enter into an agreement to purchase the Portz/Couch property for up to \$35,000. Vote all yes.

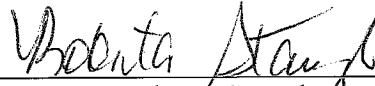
Poll Council: Nothing to report.

Council reviewed invoices #027646 to #027713 including then and now certificates, inter-departmental transfers and memo expense #180016 to #180021. Wendel made a motion to approve as presented, this was seconded by Post. Vote all yes.

Fiely made a motion to adjourn the meeting seconded by Wendel. Meeting adjourned at 8:35 PM.



President Dave Bretz



Roberta Staugler