

RECORD OF PROCEEDINGS

Minutes of

VILLAGE OF FORT RECOVERY SPECIAL COUNCIL

Meeting

BEAH GRAPHICS 800-325-8094 FORM NO 10148

Held

October 21, 2019

**CALL TO ORDER: Mayor Dave Kaup** called to order the Regular Council Meeting on October 21, 2019 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, Luke Knapke, Greg Schmitz and Scott Pearson. **Absent:** Al Post.

**Also Present:** Randy Diller, Roberta Staugler, Erin Abels, PG Jellison, Leslie Gartrell.

**Reports to Council:** VA Report, September Police Stats.

**Minutes:** Wendel made a motion to approve the October 7, 2019 minutes, Knapke seconded the motion. Vote all yes.

**Poll Visitors:** Nothing to report.

**Mayor:** Randy, do we have a Design Review candidate? **Diller:** Nancy Knapke has not gotten back with a name yet. **Kaup:** September reports from Jared, as you can see, they have been busy with a couple of arrests. He has been keeping me up to date on some of it.

**RESOLUTIONS/ORDINANCES**

**RES 2019-22: A RESOLUTION TO AMEND APPROPRIATIONS. Schmitz made a motion to suspend the rules seconded by Pearson. Vote all yes. Wendel made a motion to pass the resolution seconded by Fiely. Vote all yes.**

**Diller:** I talked with Joe Westgerdes again and the purchase price is \$4,000 no negotiating. Joe said I don't need to do this, for \$4,000 I will sign it. If council is willing to go forward with the purchase, we have an ordinance and authorization to purchase the Real Estate. **Wendel:** Does it affect the project if we don't do it? **RD:** We would have to shift the street back to the east and the west. **Wendel:** What would we have in engineering to make those changes? **Diller:** Probably \$2-3,000. In the scheme of things, it is such a small part of the project. It might be more than the sliver of land is worth but the cost is not a lot. **Kaup:** We have been fortunate with the rest of the properties. **Diller:** Any other discussion? **Fiely:** No.

**ORD 2019-09 AN ORDINANCE FOR THE MAYOR AND FISCAL OFFICER TO EXECUTE A REAL ESTATE PURCHASE CONTRACT. Schmitz made a motion to suspend the rules seconded by Pearson. Vote all yes by roll call vote. Wendel made a motion to pass the ordinance seconded by Knapke. Vote all yes by roll call vote.**

**Diller:** Aeration Project. I put a memo in the drop box. We have been working with EPA and a couple of aeration companies, ended up getting a recommendation from the EPA. I asked them if we need to get the aeration done this fall; if we bid it out there is no chance to get the project done before next spring. OEPA basically said this needs to be done this fall. Erin said it does meet the requirement to dispense the bidding process with the EPA issues we are having. We have the authority to purchase the aeration, dispensing with the competitive bidding. In the 25 years I have been with the village there was only one other time we dispensed the bidding, and that was when we had to do the pump station. This one was not from lack of trying. EPA understands where we are at, and will not fine us unless we don't do anything. We reached out to 2 companies we thought were the best option, council needs to choose whether we bid it out or Randy, Ryan Thien and Ryan Lefeld will pick a company. We will use one of the companies that submitted the previous bids. They are prepared knowing only one will be chosen to move forward. We received the second proposal today at 5PM, which we have not been able to review. Their bid was \$169,-181,000 for their portion of equipment, our expense will be from \$10-15,000. They knew it all had to come in under \$200,000. Ironically, they both could make it work. We will review the options tomorrow morning and hope to make a decision subject to council deciding for us to do or not. We were hoping we could do it at the last meeting, now we won't have a chance if we

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run it through competitive bidding. If we send in the PTI and order the equipment both could come back in 3-4 weeks. This would give us time to install before it gets too cold. Only thing we have that is temperature sensitive is the concrete, which we can get done when we know the equipment sizes. We would also have to trench a feeder pipe and some electrical. Kaup: Will we need to lower the lagoons? Diller: No. Fiely: What is the down side to declaring it an emergency? Diller: Erin wants to make sure we meet the clarification of declaring emergency. They have not put it into a written order, if we wait until spring they will.

Erin: We have a full year of non-compliance. Diller: If we lose the last aerator, we would have to use money to purchase temporary aeration which could be put toward the final solution. Kaup: That would be a waste. Schmitz: It is shocking that EPA won't put that in a letter. Diller: If it is true it is not anything to them. We are using them as documentation of the need to declare an emergency. The water quality and tests show it is due to lack of aeration. We are down to one aerator running at full capacity and one at ½ power. If it goes out, we will be in a bad situation. Having just one aerator for two months showed up in the test, cooler weather will help but it is time. Knapke: Will you decide tomorrow? Diller: We are hopeful that Ryan Lefeld & Ryan Thien can figure out what is best operational and functionally. We will look at the long range, the other aeration might treat the lagoons better long term.

**ORD 2019-10: AN ORDINANCE TO PURCHASE AND INSTALL AN AERATION SYSTEM FOR ITS LAGOONS, DISPENSING WITH COMPETITIVE BIDDING AND DECLARING AN EMERGENCY. Schmitz made a motion to suspend the rules seconded by Knapke. Vote all yes by roll call vote. Wendel made a motion to pass the ordinance seconded by Fiely. Vote all yes by roll call vote.**

Diller: I will get information put together about the aeration and send an email to council to check drop box. Kaup: Let me know what time you are meeting tomorrow I could stop in.

Abels: I passed on all the paperwork for Joe Westgerdes and the aeration to Randy. I also put together a lease extension for Michael Bailey through 12/31/19, you will need a motion to execute the lease.

Diller: I placed some information for Ohio WARN in drop box for council to look at it. One of the things EPA is pushing is for us to join Ohio WARN. It is basically a state wide mutual aid agreement. We could call on anyone else, it spells out what we would pay. It is similar to the local contract we have with Mercer County, if they need our generator, it specifies how much we pay. When Celina had the tornado, I offered to Tom Hitchcock the first day to possibly send some guys over, never thought about our generator, I'm sure someone could have used it. That is what this is about. Erin: It is free to join, if you need assistance you pay for them to help and you can also use equipment. If someone calls it is voluntary, not complicated. Diller: You can say no, sorry we can't help you. It is another way for EPA to say we are covered in case of a disaster. Erin: If it is decided you don't want it anymore, you can get out of it. Diller: For EPA we are covered. We don't have the necessary paperwork ready; we can have it at the next meeting. Fiely: Do other communities around have it? Diller: I am not sure; it costs you nothing and doesn't commit you to anything and you have help available if you need it.

Diller: We have the agreement for Michael Bailey to pay rent for November and December. We just need approval to extend the lease. Pearson made a motion to authorize the extension of Michael Bailey's lease. This was seconded by Schmitz. Vote all yes.

Diller: Projects: The Cooper project has been submitted to the state. We are waiting on release of funds from CDBG.

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Park: We are in the process of installing lights on diamond 3, once installed we can close up the grant and be done. We hope to stand the lights up Saturday and get wiring completed by Liberty Wayne Electric.

Shelter House: Jerry is working on shelter 4 & 5. Michael is finishing up painting the picnic tables at Fort Site Park. Next summer we will paint the shelter houses there and the press box. Eventually Fort Site will also have siding on gable ends. We are trying to get rid of painting maintenance.

Zoning: We will have a Variance meeting on October 31st. It is for Sweet Home Recovery on Wiggs St.

Lighting: We have had no word on Monument Park lighting or on the Street lighting.

Health Insurance: We were approved for the MEWA plan.

Gas Aggregation: The natural gas aggregation has been signed and will begin on December 1st. People are starting to call; information will go out the first part of November. You cannot call yet; they won't have it ready until after the letters go out. The contract rate is \$3.08 for 24 months.

Diller: We need to have brief executive session to discuss wages.

Important Dates: Randy will be attending OML conference this week. Halloween parade and trick-or-treat is this Sunday October 27<sup>th</sup> from 4pm to 6pm. November 17<sup>th</sup> will be the Merchants Open House.

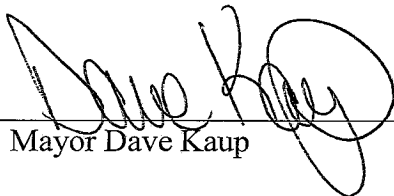
Poll Council: Schmitz: I noticed the Speed trailer is not working. Diller: It is recording, the lights are just not on. Pricing has come down; we are looking into a package of solar signs to put up on the highways coming into town and the school zone.

**Mayor: Do I have a motion to enter executive session to discuss the compensation of employees in accordance with Ohio Rev. Code 121.22 (G)(1). Wendel made a motion to enter into executive session to discuss the compensation of employees, this was seconded by Fiely. Vote all yes by roll call vote.**

**A motion to exit Executive Session was made by Knapke seconded by Wendel. Vote all yes. Action taken: The Village Administrator will have the wage ordinance prepared for the employees with a \$.75 per hour raise or a minimum of 3.0%.**

**Council reviewed invoices #29000 to #20018 including then and now certificates, inter-departmental transfers and memo expense 190070 -190074. Fiely made a motion to approve as presented, this was seconded by Wendel. Vote all yes.**

**Knapke made a motion to adjourn the meeting, seconded by Wendel. Meeting adjourned at 8:45PM.**

  
Mayor Dave Kaup

  
Roberta Staugler