

RECORD OF PROCEEDINGS

Minutes of

VILLAGE OF FORT RECOVERY COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 20, 20 21

**CALL TO ORDER:** Mayor Dave Kaup called to order the Regular Council Meeting on December 20, 2021 at 7:30 pm in the Village of Fort Recovery Council Chambers to conduct regular business.

**Roll call** was conducted with the following Council members present: Erik Fiely, Cliff Wendel, Luke Knapke, Greg Schmitz, Scott Pearson and Al Post.

**Also Present:** Randy Diller, Roberta Staugler, Erin Abels, Bailey Cline, Leslie Gartrel, PG Jellison and Neal Spencer.

The mayor led with prayer and the pledge of allegiance.

**Reports to Council:** VA Report.

**Minutes:** Wendel made a motion to approve December 06, 2021 minutes. Knapke seconded the motion. Vote all yes.

**Mayor Kaup:** This is the night for the public meeting. Diller: Does anyone have any comments on the Zoning Ordinance? No Comments. Kaup: We held our Mercer County Ambulance meeting Wednesday. We did get denied on the grant request for a new ambulance. We will look at a grant again and resubmit. We talked about ordering a new ambulance which takes 16-18 months to get. We ordered one in 2019- and did not receive it until October 2021. We have eight new EMT's that took the course. We are at a plus four EMT's for the year, which is the first time ever. Looking at a schedule, it is less than 1% from being filled. We are talking about potentially ordering another ambulance, which is set up the same, with everything in the same spot. Now that they have the new ambulance they know where everything is at. It is hard especially for the new EMT's to work different ambulances with everything stored a in different place. When revenues come in, we think they will be able to do this. Our next meeting will be January 8<sup>th</sup>. The Mayor's Christmas Decorating contest winners this year were: Terry & Mary Hummel, on John Street. Marty & Jaymi Stammen on Flaler Road and Mike & Kathy Laux on Washington Street. We will need a short executive session for personnel.

**Chief:** Adam Diller's probationary period is up and he is doing a great job. We received a question about Church parking. Diller: The situation was at the Lutheran Church, during services they always park diagonal in front of the church. The question is can we make it so that is allowed? Is it ok, for them parking diagonal during church events? This year they had Lenten and Advent Services, all at this church, which they only hold every three years. They are asking if it is ok, to continue to do what they have been doing. Wendel: Why is it a question now? Laux: Typically, we are not out patrolling during these service times so we don't see it. The last Cluster event was in the evening so we witnessed it. Diller: Our concern is if we allow them, who else will want to do it? Laux: If we allow, and there is an accident, there would be a citation. If illegally parked, technically they could be at fault. If it is a Church activity, we want it covering them and us. It never came to light before. Diller: They don't do it for spaghetti or ice cream socials. Do we need something official? Abels: I think a motion would be fine. This will not be permitted on Broadway St – only on Wayne St.

**Post made a motion to allow parking diagonally at Lutheran Church during church events on the west side of N. Wayne Street. This was seconded by Knapke. Vote all yes.**

**Chief:** The Rescue training went well. The table top exercise went well. The Superintendent is wanting to take it to the county superintendents to bring to light what we learned. Randy & Mike Robbins attended and gave us some insight. I will continue working with the school and maybe the county.

**RESOLUTIONS/ORDINANCES**

**RES 2021-25 A RESOLUTION TO AMEND THE 2021 APPROPRIATIONS.** Pearson made the motion to suspend the readings which was seconded by Schmitz. Vote all yes. Post made the motion to pass the resolution, seconded by Pearson. Vote all yes.

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**RES 2021-26 A RESOLUTION TO FOR THE 2022 APPROPRIATIONS.** Pearson made the motion to suspend the readings which was seconded by Schmitz. Vote all yes. Post made the motion to pass the resolution, seconded by Pearson. Vote all yes.

**Diller:** Regarding the amended Zoning Code – some changes include: It is illegal to use storage containers on residential/commercial properties. We discussed poultry and not allowing any hens; it will probably make some people upset even though it was never allowed but was not properly enforced. There was a change to set backs in I District and we added additional conditional uses in different zoning districts. We made some clarification to now allow business offices and medical facilities in industrial district with a conditional use permit. Parking requirements were changed to better fit our community. Once passed it will take effect January 1, 2022.

**ORD 2021-13 AN ORDINANCE ZONING REGULATIONS FOR VILLAGE OF FORT RECOVERY.** Post made the motion to pass the ordinance to the second reading which was seconded by Fiely. Vote all yes by roll call vote.

**Diller:** Regarding the Opioid Settlement ordinance being presented, we had previously passed a similar ordinance dealing with the three other large pharmaceutical companies with J&J previously not included. This will allow us to be included in any possible settlement with J&J.

**ORD 2021-14 AN ORDINANCE AUTHORIZING THE VILLAGE SOLICITOR TO REGISTER VILLAGE OF FORT RECOVERY TO RECEIVE PARTICIPATION TO JOIN IN J & J OPIOD SETTLEMENT.** Pearson made the motion to suspend the readings which was seconded by Schmitz. Vote all yes by Roll Call Vote. Post made the motion to pass the ordinance which was seconded by Pearson. Vote all yes by roll call vote.

**Abels:** Randy shared the OPIOD legislation I prepared.

**Diller:** State Route 49 Re-route paperwork was submitted and received by ODOT. They will review.

**Utility:** Obviously this time of year we are not outside as much. We have all the parts ordered/reordered for the fire hydrants. We are hoping to have a couple days to get them completed.

**Lagoon:** Looking pretty good, we had one DO and one CO violation. Things have been testing out good.

**Wastewater Study:** Pogemeyer said it should be completed no later than April.

**Tap Grant:** Soil Boring is complete. Stage One report will be submitted to ODOT upon completion by Choice One Engineering.

**GIS:** This is complete, online, up and running. We have printed Maps available to review and mark up as needed.

**FEMA:** Flood Map Revisions: We had a Virtual meeting on the Wabash River updates on the flow maps. There is not a lot effecting Fort Recovery. We previously had all areas based on elevation from a previous study. We are working with Choice One on a couple of things. Nothing changed in town that I could see. They have not updated our corporation limits, in years, so I will get them the updates.

**Water Tower Grant:** We did not get approved in HB 168. We are working on a different application. I learned today we are still in the running for the tower. Pearson: Is there a way you can check to see who was awarded? Diller: All recipients have been made public. Minster and Rockford were approved. I found out all were replacing an existing tower in

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bad shape or woefully undersized. I asked if we could resubmit. Only two in Mercer County have been approved to date (Celina, Rockford).

**Farm Ground Lease:** Mitch Hemmelgarn will stop in to sign the farm lease contract soon.

**Cemetery Board:** Reviewed our year end including new Fees and Rules and Regulations. There were three changes, spelling out what burials we allow per plot and we are now totally out of selling any lots in Green Mound Cemetery. They approved the changes and recommend Council approve the new Rules and Regulations.

**Knapke motion to approve the amended Cemetery Rules and Regulations. Fiely seconded the motion. Vote all yes.**

**Important Dates:** none

**Poll Council: Pearson:** At the park I saw some deer rubbing against some of the new trees, we will probably lose them. Diller: We noticed this too.

**Mayor: Do I have a motion to enter executive session to discuss employment matters in accordance with §121.22 (G)(1)?**

**Fiely made a motion to enter into Executive Session which was seconded by Wendel. Vote all yes by roll call vote.**

**Fiely made a motion to exit Executive Session which was seconded by Knapke. Vote all yes.**

**No action taken from executive session.**

**Council reviewed invoices #30705 to #30741 including then and now certificates, inter-departmental transfers, expense adjustments and memo expense 210128 to 210136. Wendel made a motion to approve as presented, this was seconded by Knapke. Vote all yes.**

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

Mayor Dave Kaup

Roberta Staugler