

RECORD OF PROCEEDINGS

Minutes of

VILLAGE OF FORT RECOVERY COUNCIL

Meeting

BEAR GRAPHICS 800 325-8094 FORM NO 10148

Held January 03, 20 22

CALL TO ORDER: Mayor Dave Kaup called to order the Regular Council Meeting on January 03, 2022 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 and Scott Pearson Absent Al Post.

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

The mayor led with prayer and the pledge of allegiance.

Reports to Council: VA Report.

Minutes: Wendel made a motion to approve December 20, 2021 minutes. Knapke seconded the motion. Vote all yes.

Mayor Kaup made the following recommendations for appointments to boards and council committees:

Village Boards:

Design Review: Jill Andrews, Ken Romer Term exp 12-31-2023, Scott Pearson-Council Rep

Tree Commission: Ron Koppelman Term exp 12-31-2024

Income Tax: Pat Wendel, Deanna Knapke-Alternative Term exp 12-31-2023

Park Board: Bill Bechtol Term exp 12-31-2026

Zoning Board: George Stammen, Diana Grile, Eric Krieg Term Exp 12-31-2026. Greg Schmitz-Council Rep

Planning Commission: Greg Schmitz-Council Rep

Council Committees:

Finance: Al Post, Erik Fiely, Luke Knapke

Research: Scott Pearson, Cliff Wendel, Greg Schmitz

Police: Cliff Wendel

Zoning Board: Greg Schmitz

Planning Commission: Greg Schmitz

Design Review Board: Scott Pearson

Tree Commission: Cliff Wendel, Council Advisory Only

Fiely made the motion to accept the appointment to Village Boards and Council Member Committees as recommended by Mayor Kaup, this was seconded by Schmitz. Vote all yes.

Fiely made the motion to appoint Al Post as a Representative to the Southwest Mercer Fire District, this was seconded by Wendel. Vote all yes.

Pearson made the motion to appoint Dave Kaup as the Southern Mercer County Joint Ambulance District Rep, this was seconded by Wendel, vote all yes.

Schmitz made the motion to appoint Bert Staugler as Records Commission Rep, this was seconded by Fiely. Vote all yes.

Wendel made a motion to appoint Al Post as Council President, this was seconded by Fiely. Vote all Yes.

Mayor Kaup: I talked to Jerry Guggenbiller good to see he is back to work. The 2021 Income Tax Report was in dropbox. Staugler: It is down, but we were waiting on a large payment last week that did not come in until today. Diller: We received a \$86,000 deposit today. So, the 2021 report is down but it is in 2022. Staugler: 2021 would have been up 3% if the deposit would have been received a day earlier.

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RESOLUTIONS/ORDINANCES

Diller: Does anyone have any questions about the Zoning Ordinance after reviewing my comments in drop-box? Pearson: Is anyone living in Indian Heights subdivision required to have approval on subdivision regulations? Diller: It is not listed, but I believe it is best to contact all residents living in the subdivision. They don't like to because it is your neighbor, 50% of all owners must sign off on changes. Accessory buildings seem to be the only time the regulations come up. I think they should work with Dave Kaup. Kaup: It is best to talk to the neighbor on each side of your house because they are the ones that will have to look at it. Diller: I provide the regulations as requested but I cannot enforce the covenants & restrictions. Pearson: How are the rules enforced if not followed? Diller: The property owners would have to file suit. I think there should be an easier way. Kaup: I think it is the general understanding that the people there should make the decision. No one wants to be the bad neighbor. There needs to be a group in each area to talk to their neighbors. Diller: The process needs to be defined better. They can come to the village to get the information they need. I don't have a problem doing that for them, the downside is everyone thinks I make the decisions. Maybe they should have a Home Owners Association. Maybe Dave Kaup and I can work on something.

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

ORD 2022-01 AN ORDINANCE PROHIBITING THE USE OF SNOWMOBILES, OFF-HIGHWAY MOTORCYCLES & ALL-PURPOSE VEHICLES ON STREETS IN FR. Schmitz made the motion to suspend the readings which was seconded by Knapke. Pearson made the motion to pass the ordinance which was seconded by Wendel. Vote all yes by roll call vote.

Diller: The Ohio Revised code was changed; we need to have some way to control use in the village. Schoen: It is up to the Village to allow use. The previous ordinance didn't refer back to state code. Abels: the snowmobiles and all-purpose vehicles are not in multi-use vehicles which is what we had. All the village had to do was to put limitations on the use of these vehicles unless approved by the Chief of Police or Randy. Diller: Such as a severe weather event. We also updated to add under speed vehicles. Abels: The previous ordinance should be under speed and low speed, the previous was low speed only. Diller: We redid the ordinance to include as an all-in-one ordinance.

ORD 2022-02 AN ORDINANCE AUTHORIZING THE USE OF LOW-SPEED, UNDER-SPEED VEHICLES-UPDATED FROM ORD 2017-06. Schmitz made the motion to pass the ordinance to the second reading which was seconded by Knapke. Vote all yes by roll call vote.

Abels: Nothing to report

Diller: Nothing to report on ODOT state reroute.

Utility: We haven't been working on projects much with the holidays.

Wastewater Study: They are to start this week on the study.

Tap Grant: Choice One is working on preliminary design, we will continue to work thru details.

EMA: Nothing to report.

FEMA: We have submitted documentation. I don't think anything will take effect until 2024. Ours are already in place so this does not affect us much.

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Water Tower Grant: We have heard nothing; we are still in the running. We are also working with Jared Ebbing on other options.

Park Board: Our meeting will be next week; we will start the summer hiring process.

Cemetery: Foundation prices have been raised by the contractor. We need to change our fee before we start taking orders and will have a meeting this week to make the necessary price changes.

We will need an executive session for employment and legal matters.

Poll: Schmitz: I have a question about the trees on brick St. Diller: When the stumps are removed, we will get them replanted. I don't know what we will plant; we will leave that up to Steve Stone. Schmitz: I noticed at Scott Brunswick's; the creek is not flowing. Diller: We clean off the grate after rain events. I saw it was on Jerry's list. I will make sure it gets looked at. Kaup: It is the crap on the neighboring property stopping it. We have tried to get it cleaned up.

Mayor: Do I have a motion to enter executive session to discuss compensation/benefits and discuss employment matters in accordance with §121.22 (G)(1) and to discuss pending litigation in accordance with Ohio Rev. code §122.22 (G)(3)?

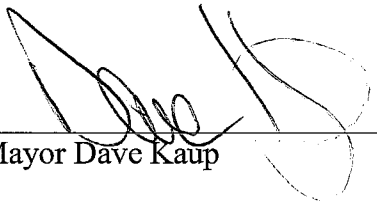
Wendel made a motion to enter into Executive Session which was seconded by Knapke. Vote all yes by roll call vote.

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

Pearson made a motion to authorize the Tax Administrator to proceed with legal procedures necessary with regard to collection of taxes. This was seconded by Schmitz. Vote all yes.

Council reviewed invoices for check #30743 to #30751 including then and now certificates, inter-departmental transfers, expense adjustments and memo expense 210137 - 220004. Wendel made a motion to approve as presented, this was seconded by Knapke. Vote all yes.

Wendel made a motion to adjourn the meeting, seconded by Knapke. Meeting adjourned at 9:02 pm.


Mayor Dave Kaup


Roberta Staugler