

RECORD OF PROCEEDINGS

VILLAGE OF FORT RECOVERY COUNCIL

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held _____ November 07, 20 22

CALL TO ORDER: Mayor Dave Kaup called to order the Regular Council Meeting on November 07, 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, Scott Pearson and Al Post.

Also Present: Randy Diller, Roberta Staugler, Erin Abels, Bailey Cline, Jared Laux, Bob Tomaszewski, Puhiza Shemsedini-Jay County exchange student, and Neal Spencer.

The mayor led with prayer and the pledge of allegiance.

Reports to Council: VA Report, September finance, income tax and police reports.

Minutes: Schmitz made a motion to approve the October 17, 2022 minutes as presented which was seconded by Knapke. Vote all yes.

Mayor: We approved appropriations for the Mercer County Squad and held a well-attended fund-raising gathering at Moeller Brew Barn last week.

Chief: Stats are in dropbox. We welcomed the band home last night with a cruise around town. We are working on a reunification plan with the school. They are working on a project with the testing at our school, they wanted to test it on a small school first. The mayor and I made the visit to Wright State University police academy. I have had two young men come in to see me. I would like to discuss with council at a later time. Pearson: How did Trick or Treat go? Laux: As always, we had a few groups drive with their door open. I talked to them, for the most part everyone was cooperative.

Staugler: We have a couple of transfers and appropriations to take care of final Water Plant Loan payment which will allow the fund to close out after payment is made. Also, Erin prepared a resolution to authorize us to sign an agreement with MITS for the new Tax Software.

RESOLUTIONS/ORDINANCES

RES 2022-19 A RESOLUTION TO TRANSFER MONEY FROM THE LOAN RESERVE FUND TO THE WATER REVENUE FUND. 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 Fiely. Vote all yes.

RES 2022-20 A RESOLUTION TO TRANSFER MONEY FROM THE WATER REVENUE FUND TO THE WATER BOND RETIREMENT FUND. 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 Fiely. Vote all yes.

RES 2022-21: A RESOLUTION TO AUTHORIZE THE MAYOR AND FISCAL OFFICER TO SIGN THE INCOME TAX SOFTWARE AGREEMENT WITH MUNICIPAL INCOME TAX SOLUTIONS, LLC (MITS). 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 Fiely. Vote all yes.

RES 2022-22 A RESOLUTION TO AMEND 2022 APPROPRIATIONS FOR CURRENT EXPENSES. 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 Fiely. Vote all yes.

Council was also presented with the October Bank Reconciliation for approval.

Erin: nothing to report.

Diller: Milligan Street: All work is complete with exception of the cross walk. Wagner Paving didn't like the transition from the old to the new, there was a bump, not terrible, but

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it shouldn't be that way. If they patch it will take just one day. The project went well and will be under the original estimate. The curbing was within 2" of the amount included, so they won't charge us extra for that.

Utilities: Projects- Wastewater Study: Lagoons: Sonar judging is tomorrow. They will take sludge samples and check for consistency and solids. We are not sure what we will see on reduction. It was approximately 4" when we manually checked a week after we started the process. The reduction is what he is paid on. We do see something happening, and certainly an improvement in the ecosystem. The DO is 6.5 in pond one and 13 in the secondary. It was less than 1 and 5 before we began. We are definitely seeing something happening. In conjunction Cooper Egg discharge has seen a steady stream in a low dose, domestic strength, which is certainly helping the cause. Kainos wants to feed the product all winter long, to see if we can keep the DO number up. Then they would hit it hard when the water is 50° and above, so we don't have to try to catch up in the spring. Post: Is there any smell? I did notice a smell similar on First St. Diller: The only time I smelled it was when I was driving on the bank. Ryan noticed a smell but not quite the same. It goes back to the statement, there is a smell, it's a lagoon smell. Overall, I think things are going well. Melvin is excited, he thinks they see where they are converting sludge to Bio-floc which is used in fish farms. I saw a study they tried in a California municipal wastewater plant where the report said it was promising and should be continued. It is converting sludge to edible food. Melvin is thinking turning sludge over to Bio-floc to be eaten by bugs is pretty exciting as it feeds itself.

Noting new on EPA plans. Still at State level. Can't comment until we see it.

Utility Rates: We need to revisit utility rates today. The draft is close to being final. Basically, it is the numbers we talked about. Let me know if you have questions, as we discuss the base rate and the per thousand rate a little. We are eliminating the over 50,000-gallon discount. I found we were the only ones around doing that. Most everyone has an industrial and commercial/residential rate. I am proposing an industrial rate. We will also increase the tap fees over the next 3 periods and raise them to \$500 over years. Our ordinance also has an out-of-town surcharge. We utilize a fee instead of charging them a higher rate which is \$25 per month per utility. Does council want to increase it? I think it is high enough now. The last caustic delivery was \$13,000 which was down from \$15,000 previously. Delivery fees are increasing. We will read the ordinance at the next meeting and it will take effect on 1/18/2023.

Milligan Street Project: Tap Grant: ODOT: The bottom line is ODOT is not bending on the right-of-way approach. We were led in one direction now they are saying not at all. We are at a crossroads. On August 21, 2021 we met with ODOT Real Estate people in a Zoom meeting, with Choice One. We were concerned that we would have to spend \$250,000 in engineering to find out if we have to spend an additional \$250,000 for temporary right-of-way. Both are funds the village would need to cover as it would not be covered by any grant funds and we felt it was money that we couldn't use toward construction. It was discussed, according to Ryan Lefeld's memory. It was determined that we would submit phase one, ODOT would review and give us direction. We didn't get much direction, we feel cornered, tell us you can't do that, need right-of-way to tell you can't. Choice One for \$100K can engineer it no matter who does the project down road. Now they won't even review it until we submit a right-of-way plan. To start stage two is another \$100K, he actually said he didn't think that was bad. In the scheme of a three million project, fees and engineering is money we are not spending on construction. We are at a point where we need to pursue further with ODOT, with superiors of District 7. We run the risk of potentially upsetting them even more. We are within 4' of project right-of-way with construction but it's happening on other plans where they are not getting acquisitions. The bottom line is there are exceptions. We can plead our case; we were led down a road saying no exceptions and now they say they can review when R-O-W plan is submitted. We will be within 4' on 27 properties which is nearly \$150,000 in added expense.

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The mayor would like to set up a meeting, at this point the stage two engineering has been completed at around \$50,000. I need approval to pay then we can decide on a right-of-way plan.

Mayor: It is one thing after another. Diller: ODOT is throwing Choice One under the bus on this, they said that is not the way it works. Exceptions can be made, we can make our point, at the end of the day to see which properties will be made exceptions.

Wendel: With Choice One is there a cutoff for them to stop? Diller: I thought we were going to get to that point, I have been told by ODOT they will not to do anything until we submit a right-of-way plan. We will miss the deadline if we don't do something. A lot of issues are being created, by trying to make the project safer by lowering the hill. We would not have to; it doesn't make sense not to. They claim the right-of-way rule is a rule. We are hoping to have environmental completed by end of this year. Mayor: I think we need to pursue.

Knapke made the motion to pay Choice One engineering the amount of \$49,955, seconded by Fiely. Vote all yes.

Systemic Funding: RFQ proposal is due by November 10th. We received two proposals. We need to review and pick our choice. One company is from Mansfield.

School transportation. We met on October 28th and went thru some walk audits. We met to talk about our vision. Choice One will put some stuff together now. We will meet in the next 2 or 3 weeks.

PUCO Crossing exemption: Nothing new.

EV Station: Nothing to report.

Legislation: HB 228 passed: It is a law to prevent local communities from setting local gun rules. This past week in Columbus, they heard a case which they said was infringement on the home rule. First time in a couple of years, we will see how it plays out.

Mercer County Commissioner: They want to pass a Resolution that restricts large wind and solar farms. The Public is invited including villages and municipalities. They can't do anything in a village. They propose both maps are designated in unincorporated areas in Mercer Co be restricted. Diller will attend a December 15th meeting to listen in. Obviously, we have zoning, it is to prevent solar on a large scale not in town. Celina/Minster also have their own electric utilities to save money on electricity.

We are planning a sale of some unneeded items. Adrian Grube has a sale on December 10th with a lot of items geared toward men's interest. We have some overhead doors, old street signs and miscellaneous items to get rid of.

Park Bord: The playground was finally completed today.

Randy: Jared told me some trees came down in Green Mound and are down on top of stones. I will look at tomorrow and make plans to get it cleaned up.

Important Dates: Christmas open house beginning this Thursday with the final day on Sunday.

Diller: We have wage reviews to discuss tonight in executive session.

Poll Council: Knapke: How much longer will the 4-way stop sign be up? Several people have asked me about it. Diller: We are going to hang on until snow starts to fly. We are going to add a stop sign on the other side of the road in the next two weeks.

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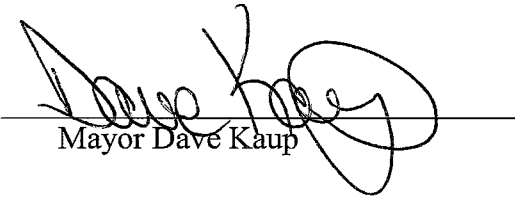
Mayor: Do I have a motion to enter executive session to discuss personnel in accordance with Ohio Rev. Code 121.22(G)(1). Fiely made a motion to enter executive session seconded by Post. Vote all yes by roll call vote.

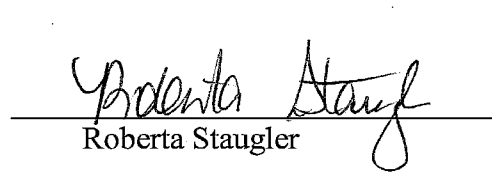
Fiely made a motion to exit executive session seconded by Knapke. Vote all yes

Action taken: Randy and Erin will prepare a wage ordinance to read at the 11/21/22 meeting.

Council reviewed invoices #31381 to #31414 including then and now certificates, inter-departmental transfers, expense adjustments and memo expense 220145 to 220159. Fiely 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 Knapke. Meeting adjourned at 9:58 pm.


Mayor Dave Kaup


Roberta Staugler