

RECORD OF PROCEEDINGS

Minutes of

VILLAGE OF FORT RECOVERY COUNCIL

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held August 21, 2023

CALL TO ORDER: Mayor Dave Kaup called to order the Regular Council Meeting on August 21, 2023 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, Neal Spencer, Leslie Gartrel and Jared Laux.

The mayor led with prayer and the pledge of allegiance.

Reports to Council: VA Report.

Minutes: Fiely made a motion to approve August 07, 2023 minutes. Knapke seconded the motion. Vote all yes.

Mayor: Chief have you had some issue with cats?

Chief: It was brought up again, Coldwater has an ordinance whereby you can keep a cat so many days and rehome to a farm. We have had reports of cats running free, defecating in yards and bushes. It is reported that people are feeding them too. Abels: You can't prevent people from feeding stray animals. Chief: It is hard, if we put something on our books it would defer some. Diller: Are there more reported? Chief: Yes. Diller: In different areas of town? Laux: Some people in Al Warnock's apartments are catching them and taking them to Celina and pay to have them fixed. They are picked up by transport then taken back to a house to be picked up. The ORC says you cannot remove them from the environment they are used to. Kaup: Can you do something like we do dogs? Schmitz: It is different. Laux: Yes, cats are treated different. Kaup: Can you trap them? Laux: That is up to you guys. People are using Celina and Jay Co to deal with them. They charge \$40 to get a rabies shot, clip an ear and spay them. People acknowledge that this can eliminate cats but lead to other problems. Whatever you guys want to do.

Kaup: I like relocation. Laux: Coldwater has place around their lagoon to drop off cats. Pearson: Do we have a problem with dogs? Laux: Not as bad. Diller: Can we give people an option, but not make it our responsibility to do it? Laux: I am not saying. Diller: I know, we don't want to know. Laux: I want to give people a legal option. Diller: I would be leery about making an ordinance to feed them, I don't want some 80-year-old person, out of the goodness their heart not understand when you tell them to not feed them. If you pass a law, you can't decide who gets cited and who doesn't. Neal: Are you telling us these people take them at their cost? Laux: Yes, if you catch one and their left ear is clipped you know they are done. Kaup: What do you tell them? Their option is to trap, take over to get spayed and bring them back? Does Tom catch them? Laux: He has nothing to do with cats. Kaup: Don't we have the option of saying; this is what some people are doing? I don't think you want to pass an ordinance, just put something on Facebook telling them they can take them to get spayed. Laux: One family has done a lot and are paying for it. Pearson: Do you have a right to take them to a farm? Laux: I can forward the information I have and let Erin look and give us our options. Kaup: Erin can read the ordinance and see what makes sense. Laux: We have the WOW weekend coming up. Kaup: Are you getting the Sheriff's event trailer? Laux: No.

RESOLUTIONS/ORDINANCES:

RES 2023-18 A Resolution to Amend Appropriations 2023-17 effective date. Pearson made a motion to suspend the rules which was seconded by Schmitz. Vote all yes. Post made the motion to pass the resolution which was seconded by Pearson. Vote all yes.

RES 2023-19 A Resolution to Amend Appropriations. Pearson made a motion to suspend the rules which was seconded by Schmitz. Vote all yes. Post made the motion to pass the resolution which was seconded by Schmitz. Vote all yes.

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Diller: This ordinance is for a property located at 502 S Wayne. The house is on the right of way so as we have done in the past, we executed an encroachment easement.

ORD 2023-07 An Ordinance to Authorize execution of an Encroachment Easement. Pearson made a motion to suspend the rules which was seconded by Schmitz. Vote by roll call vote. Fiely Yes, Wendel Yes, Knapke, Abstain, Schmitz Yes, Pearson Yes, Post Yes. Post made the motion to pass the ordinance which was seconded by Pearson. Vote by roll call vote, Fiely Yes, Wendel Yes, Knapke Abstain, Schmitz yes, Pearson Yes, Post Yes.

Erin: I finished up annexation for the park, when Randy is finished, we will get finalized this week.

Diller: Lagoons: We haven't fed any product the last two weeks with no smell and nothing different. We are starting to see changes in the looks of the lagoons. Melvin had a guy in to do sludge judging. We will meet next Tuesday to see what he sees and what we see. We have to believe his product took care of the smell. At this point we have not paid anything; we have no way to quantify the results. Melvin thinks they have a couple of methods to use for what has happened. We will talk about at the next meeting.

Water Plant Study: Ryan, Aidan and I went to Minster to see their Reverse Osmosis (RO) plant. They go through about 1.2 million gallon of water a day on average. The guy that runs it says it is the easiest plant to run. Not a lot of adjustments, not a whole lot can go wrong. It's not the cheapest but the best. We are not after the cheapest but one that is easier. He is going to send us a report on his expenditures so we can quantify. We were supposed to go to Coldwater to see their IO system which was cancelled due to us having a water issue. Last week we exercised the hydrants, now we have six that need repairs and we want to get one fixed before this weekend. It is off the roadway so an easy one to do.

Water Tower: Randy spoke to some people. The Engineering agreement from Choice One is at a cost is \$82,950. Do we want Choice One to proceed? I talked to Scott Grieshop; he is fine with it being there. There is one area we can't be in. We have to be able to have access to it. We are looking at a second option by the highway on Cooper's property. It would be much more accessible, if it is lower, we are not interested. Kaup: I had a guy approach me with a painting and renderings for the water tower. Diller: I need council approval if you want to move forward with engineering of the water tower.

Wendel made a motion to move forward with the engineering of the water tower design which was seconded by Knapke. Vote all yes. Diller: I have tentative hope to have the engineering done by the end of this year.

Traffic Light: Mayor Kaup, the street guys, and I met with Choice One and went over plans for the stop light. After September 7, 2023 all new lights must have the beeping signal. It can be silenced. Neal: It is for pedestrians? What if don't want to hear it? We have not heard from ODOT, Choice One thinks its ok. I approached the OH History to see is we can get a right-of-way or an easement for the light, I prefer a right-of-way.

Gwendolyn/Wiggs Reconstruction: nothing to report.

Systemic Funding ODOT Trails: nothing to report.

School Transportation: We are looking at options for grant in 2024. They have some 100% grants.

OPWC Funds: We are looking at three different projects, Jenn and I pointed them out. Two of three look like we could get funded, the third is right at the cutoff. Looking at OPWC Butler St options. First being most expensive, 2 downtown blocks, stop light, total reconstruction Fort Site to Main. \$1,500,000 under Small Gov apply \$500K Grant plus 0% Loan on amount we want. We could be on hook for about \$500K pretty expensive one.

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Plusses, have approved stop light to be replaced. Like to utilize the replacement of stop light. Need to feel comfortable we can afford it.

1. Butler – from Ambassador Park drive to George, sidewalk up to Jenn Homan’s building on south side. We would be cutting the hill down, deal one on one with property owners, and make it work. We would apply for a \$500,000 Grant, and a loan for \$300,000 to nothing depending on where we are at budget wise. It helps to get points if you ask for money and if we don’t need it, we don’t have to take it. You can maximize points by putting in loan dollars. On the Elm Street project, we didn’t take a loan.
2. Water line from Fort Site St to William St needs replaced, this would take care of the water lines and we would be done. It doesn’t point out as high. You get points on median household income which is too high. Street projects are not based on any of that. Begs to question if you could combine, if put back in up to \$4 mil, no way we can afford that.

As you can see projects in line, Wigg/Gwendolyn, Traffic light 2024. Trails Grant 2026-27 on the spreadsheet over the next 3-4 years it’s about 300K per year. If you throw in the Butler St project, I think you can make it work if we need to, we can ask for more loan money if we can.

Kaup: I would vote for #1. Post: And get stop light taken care of. Diller: Which is in plan too. Kaup: It would help finalize down town project. Diller: Get a lot done. On a side note, the Opera House needs a 6” tap, the old waterline is an 8” cast iron line which we could tap but it might create a problem. We will get them what they need. They are getting ready to put final touches on. The elevators on back need details worked out. The one out to the west we could get done with no ODOT money, we wouldn’t need to work with them. Pearson: What are your thoughts on Wastewater pant? Diller: That’s a good question, we are still working with Kleinfelder. EPA will continue to push us. The guy with Melvin, thinks there is more flexibility with lagoons, can make them survive. The numbers say, yes it can be done. Pearson: Are there monies down the road. Diller: The water plant can make enough to pay for it. Wastewater, pretty sure we know who is going to pay for that. Pearson: My concern, is that it is going to come back to haunt us.

Diller: EPA will continue to push us, have they been boisterous, no, but yes, they will continue. In the next six months we need to make some decisions. Now our numbers are good. Pearson: We got in trouble once with the neighbors with the smell. Diller: I can’t put the numbers together. Kleinfelder, can’t work with their numbers, if done locally it is a lot cheaper than what they are proposing. Diller: The other unknown is the industrial park, no matter what happens it is going to be costly. If it can happen, once we pay a crazy number then that’s it moving forward.

Wendel: There is a lot going on there, \$2.5 million. Diller: We have been conservative and have been building our general fund the last few years, we are going to spend a lot, we have some money there. Pearson: One time, \$500K for each project? Diller: We are going to only do one with a \$500K maximum grant. Wendel: Of public work only do one of the three? Fiely: I like option #1, not the price but I think it is the best option, with an eye on a mechanical plant. Kaup: We are not deciding tonight? Diller: Must have turned into the county by end of Sep. Choice One needs to get work done to get numbers so we can submit. My concern, next meeting Labor Day, may not have meeting until late September. Knapke: I’m on board #1, I don’t want to lose the stop light. Post: I would go with #1.

Schmitz: Stop lights same with overhead censors, tell you when change? Diller: Green on 119 and if someone is on 49 it would start the cycle. If no movement in 5 or so seconds, it will change back. Kaup: If someone pulls up to turn right, stop then go right, it won’t trigger. If you wait it will trigger. Diller: It will stay triggered if so long. Knapke: Can you change it? Diller: You can make it all to flash, one way. There is a default battery which will keep it on up to 24 hours then switch cycling to all red. Wendel: I am good with option #1.

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Pearson: I am good with option #1. We need to keep an eye on wastewater. **Diller:** I think we will have to pass legislation to apply for Public Works.

Pool: The pool closed yesterday. Friday will be the school incentive day, then it will be closed down. **Pearson:** Is the pool still leaking? **Diller:** Yes, not as bad as it was. We are going to do some more work on it.

Park: Fort Site is on schedule for paving.

Zoning: Meeting for a variance request this Wed at 7pm.

Pearson made a motion to cancel the September 4, 2023 meeting due to the Labor Day Holiday, if we need a meeting, we can schedule one. This was seconded by Wendel. Vote all yes.

Erin: I received an Email regarding the deed restriction we placed on the Lake Life deed. The bank does not like the restriction, they want an exception for bank mortgage, then the bank can foreclose if they need to. Would you be ok with the exception otherwise he can't get financing. **Diller:** If he is getting financing that means they are building. If they want, I don't have a problem. **Erin:** Ok I will let know.

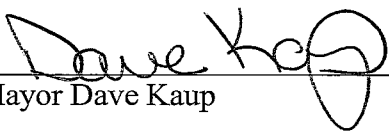
Post: What are orange barrels at the walking trail for? **Diller:** New lights, they will be there until we get a company to bore the conduit needed. There will also be some along Wabash Rd out to First Street. **Post:** The fire hydrant by our house is leaking. **Diller:** I will check on it.

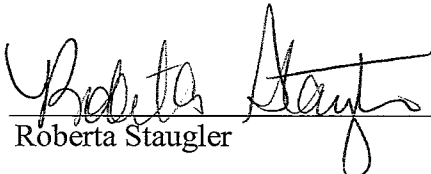
Important Events: None to report.

Poll Council: **Scott:** Are we putting a dog park in? **Diller:** On list of things we could do. We were told by a local vet; it is a bad thing. **Pearson:** We have people using parks. **Diller:** At the south end of the new ninja park there is a place to put one. **Pearson:** There are people in the ball diamonds, disregarding the signs.

Council reviewed invoices for check #32068 to #32087 including then and now certificates, inter-departmental transfers, expense adjustments and memo expense 230106 –230111. Wendel made a motion to approve as presented, this was seconded by Knapke. Vote all yes.

Pearson made a motion to adjourn the meeting, seconded by Wendel. Meeting adjourned at 8:23 pm.


Mayor Dave Kaup


Roberta Staugler