

RECORD OF PROCEEDINGS
VILLAGE OF FORT RECOVERY COUNCIL

Minutes of

Meeting

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

Held November 20, 2023

CALL TO ORDER: Mayor Dave Kaup called to order the Regular Council Meeting on November 20, 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, Leslie Klosterman, Neal Spencer.

The mayor led with prayer and the pledge of allegiance.

Reports to Council: VA Report.

Minutes: Wendel made a motion to approve November 06, 2023 Regular Meeting Minutes. Knapke seconded the motion. Vote all yes.

Mayor: I would like to thank everyone for voting for me, Scott and Al. The Storm Sewer Levy also passed.

RESOLUTIONS/ORDINANCES:

RES 2023-26 A Resolution authorizing the Mayor and Village Admin to bid on and purchase an approximate 52-acre parcel on behalf of the village. 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 Knapke. Vote all yes.

RES 2023-27 A Resolution Authorizing publication of succinct summaries of each municipal ordinance or resolution and all items to be published by law, to be published on the village website and social media account repealing inconsistent legislation. Pearson made a motion to pass to the resolution to the second reading which was seconded Schmitz. Vote all yes by.

RES 2023-28 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 Pearson. Vote all yes.

ORD 2023-09 An Ordinance accepting the annexation of 0.909 acres of land to the Village of Fort Recovery, Ohio. Pearson made a motion to suspend the rules which was seconded by Schmitz. Vote all yes by roll call vote. Post made the motion to pass the ordinance which was seconded by Knapke. Vote all yes by roll call vote.

ORD 2023-10 An Ordinance fixing the pay schedules of all salaried and hourly employees. Pearson made the motion to pass the ordinance on to the second reading which was seconded by Fiely. Vote all yes by roll call vote.

ORD 2023-11 An Ordinance Reappointing Erin M Abels as Village Solicitor for a term of two years. Pearson made the motion to pass the ordinance on to the second reading which was seconded by Schmitz. Vote all yes by roll call vote.

Abels: With the passing of Issue 2 does the village want to prohibit dispensaries? You do have the option.

Diller: This is similar to the medical marijuana, which we choose not do at that time. Now the same thing, honestly it will be in effect in 30 days but they won't have the rules for dispensaries finalized for them to get a license for 6-9 months. Do we want to allow a dispensary in Fort Recovery to sell recreational marijuana? If you want, we can get something prepared. Wendel: I don't know why we would wait. Schmitz: I agree. Knapke: Agree. It was a consensus of council to not allow a dispensary in Fort Recovery Village. Fiely: Can we do something to prohibit billboards or flyers in grocery? Erin: That is

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probably a free speech problem. Diller: Officially, individuals legally can have 6 plants per adult up to 12 per household and smoke their own, we will never be able to prohibit this. Fiely: It cannot be visible to others. Diller: Another area I did look at; our personnel policy and procedure manual states that recreational use is prohibited and can lead to being let go.

Utility Dept: Lagoons, there has been a little smell, minimal. Today on the west side only, I couldn't smell it only when I got to the pond. We are stirring it up at the inlet. Trying to treat it quickly. We will continue to monitor. Knapke: If you head out on SR 119, you can pick it up at Kellers occasionally. Diller: There have been a few instances where the odor in town was not us. The DO numbers are up around 10. We are set up to run all winter with the product stored in a heated building. Will do one more visual sludge judge to see if it is loosening up or black and thick.

Waste Water Plant Study: They are still working on it.

Water Plant: Working with Marvin for requirements for engineering. Third or fourth round money we received to put up the water tower up is out there again. Doesn't open until middle of December. As it is ARPA funds it must be appropriated by end of 2024 meaning contracts must be signed. On the wastewater project it would not be possible that we can have plans for a mechanical plant ready to bid by 2024. Marvin thinks it is pretty likely we could have water plant plans by next year. You can apply for \$5 Million per project, a little more emphasis will be given to those that do put something in. This would make it so we wouldn't have to raise rates right away. We will continue to follow the path. We will need a new pump station on N Wayne in next five years. This will likely be the last for 2024. Don't need completed until late 2026. Marvin said it will take two years start to finish so it is doable. We want more information from the wastewater guys.

Water Tower: Project continues to move forward. Choice One is working on a description as we will need a permanent easement.

Elm/Butler Traffic Signal: We received one bid from Capital Electric out of Dayton for the amount of \$360,485.42. The engineer's estimate was \$376,144.25. Choice One reviewed the estimate. They are probably the biggest company out of Dayton. I need a recommendation to award so we can proceed.

Fiely made the motion to accept the bid from Capital Electric in the amount of \$360,485.42 to install the traffic signal at Elm/Butler Intersection. Schmitz seconded the motion. Vote all yes.

Gwendlyn/Wiggs Reconstruction: It will be February 2024 when PAB Construction will be able to get here to begin the project.

Systemic Funding ODOT Trails: Plans continue.

Safe Routes to School Projects: We are putting a few options for grants coming in 2024. Part of issue, it is an ODOT grant so we are at a minimum three years out. Is it worth waiting three years to get a lighted cross walk? We will look to see what the numbers look like.

OPWC: Our application was approved to be submitted to the state office. Make it the best project possible. Hope to get it funded.

Park Annexation: The paperwork was finalized for the annexation.

Street Paving: Buehlers Asphalt was in last week to complete the work. They did not do the Park work because it was getting too cold at night, we are holding off until spring.

Utility Superintendent: No applications have been received. We will see what comes in early next week.

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State: HB296 still has police retirement going from 19.5-24% over the next few years. OPERS raise is not being talked about. HB 101 will raise the bid limits and is just about through senate.

Park Board: Improvements are being made at the Pavilion. Acoustic tiles will be installed, they plan to come in on a Saturday. This is being paid out of the Community Foundation Park Fund.

Important Items: FR Radio Gala will be December 20th, at the Pavilion.

Diller: We do need executive session to discuss possible purchase of real estate.

Poll Council: Nothing to report

Mayor: Do I have a motion to enter executive session to discuss the possible purchase of real estate in accordance with Ohio Rev Code 122.22(G)(2)?

Knapke made the motion to enter into executive session with a second by Fiely. Vote all yes by roll call vote.

Pearson made a motion to exit executive session which was seconded by Knapke. Vote all yes.

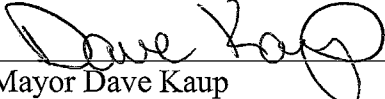
It is the consensus of council to ask Erin to amend Resolution 2023-26 tonight to change the amount of acreage approved to be bid on by the mayor and or Village Administrator from 52 acres to 89 acres.

RES 2023-29 A Resolution authorizing the Mayor and Village Admin to bid on and purchase an approximate 89-acre parcel on behalf of the village. 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.*

*correction 12-4-23- Fiely vote no

Council reviewed invoices for check 32347- 32361 also including then and now certificates, electronic payments 161-2023 thru 198-2023, inter-departmental transfers and expense adjustments. Knapke made a motion to approve as presented, this was seconded by Fiely. Vote all yes.

Knapke made a motion to adjourn the meeting, seconded by Schmitz. Meeting adjourned at 8:50 pm.


Mayor Dave Kaup


Roberta Staugler