

COUNCIL OF THE VILLAGE OF FORT LORAMIE

REGULAR SESSION

Held: April 24, 2023

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The Council of the Village of Fort Loramie convened in regular session from 8:00 P.M. to 9:00 P.M. at 14 Elm St, Fort Loramie OH. Mayor Ahlers called the meeting to order with the following members and guests present:

Mr. Randy Ahlers	Present	Mr. Chris Boeke	Present
Mr. Chad Wray	Present	Mr. Matt Hoying	Present
Mr. Ryan Simon	Present	Mr. Tim Siegel	Present
Mr. Sam Grassbaugh	Present		

EMPLOYEES: Mark Shappie & Jennifer Frilling

GUESTS: Todd Garrett with Pioneer Electric, Mitch Thobe with Choice One Engineering, Phil Barhorst, Tony Bornhorst & Stan Crosley

SOLICITOR: William Zimmerman Jr.

Approval of Minutes

A motion was made by Ryan Simon and seconded by Tim Siegel to accept the minutes of the March 2023 meeting as presented. To this motion all members present voted aye. Motion carried.

Approval of Bills

A motion was made by Sam Grassbaugh seconded by Matt Hoying to authorize the Fiscal Officer to pay the bills as presented in the amount of \$119,819.22. To this motion all members present voted aye. Motion Carried.

Acceptance of Pay Ins

A motion was made by Sam Grassbaugh and seconded by Chris Boeke to accept the pay ins as presented in the amount of \$202,487.64. To this motion all members present voted aye. Motion Carried.

Old Business

Communications Tower: Mark Shappie stated that a Public Hearing with the Planning Commission was held this evening at 7pm. No comments were made at the Public Hearing. The Planning Commission made a recommendation to Council to approve the lot switch from C1 Zoning to Industrial Zoning which will then allow for the Shelby County Communications Tower to be built. At 7:15pm the Zoning Board of Appeals had a hearing in which they approved the Conditional Use Permit for the tower to be built on that lot. A motion was made by Sam Grassbaugh & seconded by Chris Boeke to approve the Planning Commission's recommendation of switching the zoning of the lot from C1 to Industrial. To this motion all members present vote aye. Motion carried.

Committee Reports

Finance: The total income tax receipts for March 2023 were \$104,478.14, which was down \$128,447.97 or 56% from March of 2022. As of April 21, 2023, the total income tax receipts for April are \$274,943.62 which is up \$74,450.21 or an increase of 27% from the end of April 2022 with 5 days of collections remaining. The first quarter 2023 tax receipts are \$326,345 in 2022 we were at \$471,437 and 2021 at \$365,467. 2023 was down \$145,092 from 2022 and \$39,122. The budgeted amount for 2023 for the first quarter is \$331,250.

Police & Safety: No meeting this month, nothing to report.

Parks: No meeting this month, nothing to report. Chad Wray would like to schedule a walk thru.

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Streets & Sanitation: No meeting this month, nothing new to report.

Planning: A meeting was held this evening, just prior to this regular meeting. (See notes above under Communications Tower).

Old Business

Investments: Mark & Jenny are looking into whether or not we can invest some of the Village's money into a 6 month Certificate of Deposit. When we reached out to the State Auditor's Office they suggested that we get in touch with our local legal council, they referenced O.R.C. 135. Jenny will forward to Bill, tomorrow, the information we received from the Auditor's Office and ask him to research and let us know. We are ready to proceed as soon as we get the go ahead.

Walk through of Parks, need to schedule: After discussion it was scheduled for Tuesday, May 2, 2023 at 7pm. Plan is to meet at the Perin Pavilion & to go from there. Chad asked Mark to bring a list of open items/ideas of things yet to be completed at Redskin Memorial Park, including cost, and the balances in the parks accounts at the Community Foundation.

Walk through of Waste Water Treatment Plant, need to schedule: Will schedule at May meeting for sometime in June.

New Business

Consider Resolution 2023-1007, A Resolution Creating the Village of Fort Loramie Building Department and Authorizing A Request to the Ohio Board of Building Standards for Certification as a Sub-Department of Shelby County Building Department for Enforcement of the Ohio State building Codes for Commercial Construction.

This will allow us to have Commercial building inspections conducted through Miami County instead of the State of Ohio. This will improve timing. Sometimes it takes the State months to respond to requests, Miami County a few weeks or so. Nothing would change on Residential at this time.

A motion was made by Matt Hoying and seconded by Ryan Simon to approve Resolution No. 2023-1007. To the roll call vote: Chad Wray, aye, Chris Boeke, aye, Sam Grassbaugh, aye, Matt Hoying, aye, Tim Siegel, aye, Ryan Simon, aye. Motion carried.

Annexation Request: A request has been presented to the Village from the Schafer's....Andy Schafer, Dale Schafer & Schafer Oil/Propane. It's being presented to Council to see if they'd approve the annexation request. Once approved then the village would have to provide them with a service. Currently sewage is already there, water would be the additional service at this point. We believe Andy Schafer is requesting this because they are having some sort of water or sewer issues & they are looking to be prepared for the future. Mark's recommendation is that we annex them in, knowing that we won't be able to do much else this fiscal year. Sam suggests that if we do, then going forward we develop a financial plan to get the water ran to them. A motion was made by Chris Boeke and seconded by Chad Wray to allow for the annexation of residents on State Route 66 up & until Mason Road. To the roll call vote: Chad Wray, aye, Chris Boeke, aye, Sam Grassbaugh, aye, Matt Hoying, aye, Tim Siegel, aye, Ryan Simon, aye. Motion carried.

Youth Park – Colors of the Courts: Mark distributed a layout of the new youth court parks. The company is proposing to do them in colors of blue & green. This is the professional court colors. These colors are the least expensive and fade the least. Red is the color that fades the most. Council were all in agreement to proceed with blue & green as the new court colors.

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Water Line Leak – OPWC change order for 40’ of new 8” PVC: On Sunday, April 16 the village experienced a water main break right near where Phase II of the storm sewer project was completed. Mark recommends that we bridge the trench and replace a 40’ section with 8” PVC. Mark estimates that it will cost around \$10,000 and can be tied to the Storm Sewer project as a change order with OPWC so the village will pay for 20% and OPWC will pay for 80%. Council were all in agreement with moving forward and to make the repairs.

Brandewie/Ratermann Zoning Variance: Mr. Ahlers asked Bill Zimmerman to speak on the subject briefly so that all of Council were aware of what was happening. Bill explained that Kevin Brandewie at 58 South Main Street wants to remove a current accessory building on the property and construct a larger, nicer, accessory building in its place. The Zoning Board of Appeals held a couple meetings & everything passed. Mr. Fred Ratermann, a neighbor, not an adjacent land owner, is not happy about the passing of the variance to allow the larger building to be built. He has filed a veto action appealing the Zoning Board of Appeals decision. That has been filed with the Common Pleas Court in Shelby County. The Village is not being sued, Mr. Ratermann is essentially asking for the variance to not be approved. Both individuals are represented by their attorneys and Bill is now involved to represent the Village. An initial hearing was held last week in which an interim agreement was reached to hold off on things while both parties can file some briefs with the Court and then the Court can make a decision as to whether the proper protocols were followed during the variance hearings. Bill advised that behind the scenes both attorneys are trying to mitigate the situation by potentially coming to a middle point resolution. Bill believes that’s what will happen. He explained that if Brandewie loses he could just come back to the Zoning Board of Appeals and asked for the variance again by changing it a bit. Bill advised that we need to be audio recording all Public Hearings going forward. Bill will also brief the Zoning Board of Appeals on some of the statutory findings that need attention. He stated that there are 7categories that are to be looked at when considering a variance.

Announcements

- Large Item drop off on May 6, 2023 from 8am-10am.
- Fort Loramie Chamber After-Hours Networking Event on May 3, 2023 from 4pm-7pm. Jenny will forward the email invitation to all Council on Wednesday.

Final Comments

Matt Hoying asked what is happening to the red posts on the Youth Park Buildings. Mark advised that they are getting painted to match by Judy Drees soon.

Adjournment

As there was no further business, a motion to adjourn was made by Tim Siegel, seconded by Chad Wray. To the roll call vote: Chad Wray, aye, Chris Boeke, aye, Sam Grassbaugh, aye, Matt Hoying, aye, Tim Siegel, aye & Ryan Simon, aye. Motion carried.

The meeting was adjourned until May 22, 2023 at 8:00 P.M. at 14 Elm St., Fort Loramie OH.

Mr. Randy Ahlers, Mayor

Mark Shappie, Village Administrator

Jennifer Frilling, Fiscal Officer

All formal actions of the Village of Fort Loramie Council concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.