

Village of Kirkersville Council Meeting Minutes
January 4, 2023

Mayor Ashcraft called the meeting to order at 7:00 p.m.

Council in attendance: Mark Davis, Dave Engel, Jessica Forsthoefel, Carrie Slone and Nick Takach

Absent: Jim Kincaid

Also present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

Agenda

It was moved by Engel, seconded by Takach to approve the agenda. Following vote on the motion is recorded: yea, 5; Davis, Engel, Forsthoefel, Slone and Takach. Nay, none.

Minutes

It was moved by Davis, seconded by Takach to approve the minutes of December 7, 2022. Following vote on the motion is recorded: yea, 5; Davis, Engel, Forsthoefel, Slone and Takach. Nay, none.

Organization of Committees

Mayor Ashcraft said he is keeping the committees the same as last year. They are: Jessica, David and Jim are on Safety and Streets. Nick, Carrie and Mark are on Finance. Dave is on Zoning.

Public Poll

Larry Kretzman, SW Licking Water District, said we have offered to help write some agreements to put water into your village. I didn't know how familiar you are with that proposal. Have any of you seen it?

Council member Engel said nothing that is finalized.

Larry said it is not finalized. Have you seen the original proposal?

Council member Engel said we have seen the original and the back and forth between our solicitor and your legal counsel.

Larry said if you have read it, I think it would behoove us to get together very soon, as this was sent in August and we haven't been doing anything and we are getting busy and we wanted to make sure you had ample opportunity for us to go or stop. It is totally up to you folks whether you want to proceed with this agreement but we think it is good enough for the both of us. I am only here to encourage you to either approve it or not. We just want to get going on it if we can.

Mayor Ashcraft said I guess I am confused. When Rob was here, there wasn't anything discussed about the JEDD. It was all about putting the water in, waiving the tap fee and we will

get a grant to hook you up. Now you come back and want the JEDD money. We are talking five million dollars.

Larry said that is not finalized either. We haven't reached any kind of tentative agreement. I would like to get together with you to decide what you want and what we can do and if it works, that's all I am after. For four months now, we haven't done anything. Prices aren't getting any cheaper. We have to have some form of repayment and that is exactly what a JEDD and TIF will do to get us paid back. There are no tap fees for anybody that signs up in the thirty-day window. We charge about fifteen thousand dollars for water and sewer taps. This is truly free money for your folks if we can get an agreement that says in the future we are going to get paid back on the loan we are going to make to put these lines in. There are a lot of details to work out and I am not a detail guy when it comes to the Water and Sewer District. We have people that can do that and we offer that to you. It's not going to be an indefinite proposal. That's up to you to decide.

Mayor Ashcraft asked what are Council's feelings on this?

Council member Engel said one of the things I would like to see is what is the average that people currently in the district pay if they have two people in the home, four people in the home, five people in the home. Without knowing that it is hard, for me, to give up the money and it is going to be very hard for me to give up one hundred percent of the TIF of a JEDD without having a little more information.

Larry said those are questions that we can answer. First of all, for twelve years our rate was \$5.33 per thousand gallons to your door. We just did a rate study and we have now come to a new rate, which is more user friendly. If you use less than 6700 gallons, your rate would actually go down from the \$5.33. We have a minimum of 2000 gallons a month which is roughly \$10.00 a month. If you get 6700 gallons it is going to run you more than \$5.33 per month. We did a study of your wells because we did not want to ruin anyone's wells when we drilled our new ones. So far, we haven't found any that were our fault. There is plenty of water under there. You just have to get to it. If it takes you \$10,000.00 to redrill your well, that is \$10,000.00 well spent because that is money straight to your house. That's all I am trying to sell you on. If you want it fine. If you don't we are okay with that

Council member Takach said I think we have expressed that we want it and we want to work with the water and sewer district but we have not gotten a hard commitment of how much money is required back from these TIF's and JEDD's and how much the project is going to cost. It's all been figurative numbers and we don't know. So, without something definite, I can't vote on it.

Larry said that is a fair question. We have legal counsel and our general manager here. If they know what you want to know they can get it. That's probably what we haven't been doing for four months, is getting each other's questions answered. What committee would that fall under? If we had a contact person that we can deal with. We are willing to meet with anybody.

Council member Takach said we have expressed that our Solicitor is the contact person and we want a hard, ready to sign agreement. Not an agreement to sign that we support but we don't know the actual numbers but we will work on it in the future, because that's what has been

happening. A hard, fast agreement to our solicitor, and then we can be presented that by our solicitor and we can make a vote whether we support it or not.

Larry said that is a one phone call discussion. Your solicitor talked to our guy and it should have been completed.

Council member Takach said they went back and forth already and it hasn't happened. We have gotten information that has been very vague, which was presented by our solicitor, and it hasn't been a hard, fast, this is the agreement that we want. This is what we are proposing. This is black and white what we want.

Larry said they will take that under advisement and will get back to you as soon as possible. Until they bid the job they will not know exactly how much it is going to cost.

Council member Takach said we can accept a good faith estimate on the construction of the project, that's fine. It's what are you looking to recover, over how long, and what mechanism are you using to recover that. Those specific numbers are what we would like to see.

Council member Engel said you said these test wells do not seem to affect the current wells. What happens if three months down the road all these wells start to dry up.

Larry said we fix them. If you can prove that is was our wells that made your well bad, we will fix it.

Council member Engel said we need to look out for the welfare of the village. If all of our wells start to go dry, I don't know how much we have to prove?

Council member Davis said I am pro water. I don't necessarily want another tax. I don't want another two or three percent tax coming around.

Larry said you have to understand the JEDD's and TIF's.

Council member Davis said I also don't know how much money the village is going to have to pay.

Shirley said the JEDD and TIF won't affect you at all because it is going to be on the commercial properties.

Council member Forsthoefel asked Brian if he had received a response to the latest edits that you sent.

Brian said I lost track of the editing. Andrew and I went back and forth and I sent you guys a version with edits that were from me to you. Privileged communication with comments and things. That's where we stopped. We can make the words say whatever you want them all to say but you have to decide what they really have to say. You might want to think about a committee so they can get together and discuss these things. The estimate they came up with for the project

was five million dollars. The idea is the TIF will eventually be put in place and that money will eventually go to the water district to pay for this project instead of coming to the village. You have to figure this out. Andrew and I can't make that decision for you. It has to be your decision on how that is going to be.

Mayor Ashcraft said I can put a committee together. He appointed Nick Takach, Dave Engel and Mark Davis to the water committee.

Election of President Pro Tempore

It was moved by Slone, seconded by Davis to nominate Dave Engel as President Pro Tempore. Following vote on the motion is recorded: yea, 5; Davis, Engel, Forsthoefel, Slone and Takach. Nay, none.

Mayor

Mayor Ashcraft said the fines for the month were \$1,502.00

BPA

Mayor Ashcraft said the tests are good.

Council member Davis asked if we had new flow meter numbers.

Mayor Ashcraft said we are going to get hours from Flying J.

Planning and Zoning

Council member Engel said we did not meet in December. Our next meeting is January 25. We will discuss zoning fees at that meeting.

Finance

Council member Davis gave the following fund balances: General 127,403.72, Street 41,845.19, State Highway 23,737.20, Drug Law Enforcement 3,964.11, indigent Drivers 400.00, American Rescue Plan 58,053.42, Enforcement and Education 80.00, Mayor's Court Computer 152.00, Sewer Operating 319,296.69 for a total of \$573,932.33.

Legislative Actions

Third Reading – Ordinance 13-2022 – An Ordinance to amend the Zoning District Map of the Village of Kirkersville, Licking County, Ohio by rezoning parcel numbers 099-018192-00.00, 0269024-00.001, and 010-017748-00.00 to PUD (Planned Unit Development)

It was moved by Takach, seconded by Engel to adopt Ordinance 13-2022. Following vote on the motion is recorded: yea, 5; Davis, Engel, Forsthoefel, Slone and Takach. Nay, none.

Second Reading – Ordinance 15-2022 – An Ordinance amending and updating the Village of Kirkersville Zoning Fee Schedule

Brian said the map that was originally attached to Resolution 06-2022 was incorrect and he has a new map to attach to this resolution.

It was moved by Takach, seconded by Engel to amend Resolution 06-2022 to include the new map provided by the Solicitor. Following vote on the motion is recorded: yea, 5; Davis, Engel, Forsthoefel, Slone and Takach. Nay, none.

Second Reading – Resolution 06-2022 – A Resolution implementing Section 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of the Community Reinvestment Area in the Village of Kirkersville, designating a Housing Officer to administer the program, and creating a Community Reinvestment Housing Council and a Tax Incentive Review Council

First Reading – Resolution 01-2023 – A Resolution authorizing the Mayor to enter into a contract with the Licking County Board of Commissioners for reimbursement of legal counsel for indigent defendants for the Village of Kirkersville, Licking County, and declaring an emergency.

It was moved by Takach, seconded by Davis to suspend with the rules. Following vote on the motion is recorded: yea, 5; Davis, Engel, Forsthoefel, Slone and Takach. Nay, none.

It was moved by Takach, seconded by Engel to adopt Resolution -1-203 as an emergency. Following vote on the motion is recorded: yea, 5; Davis, Engel, Forsthoefel, Slone and Takach. Nay, none.

Bills

It was moved by Takach, seconded by Davis to pay the bills in the amount of \$30,336.64. Following vote on the motion is recorded: yea, 5; Davis, Engel, Forsthoefel, Slone and Takach. Nay, none.

Old Business

Council member Engel commended Council member Forsthoefel on the Christmas Party. Council member Kincaid made a great Santa.

Council member Takach said he enquired about some of the changes to South Alley, to have that ground down and fixed back there with that just being the project for now. He decided to withdraw and would not like to propose anymore.

Mayor Ashcraft said so it went from \$9,000.00 to \$31,000.00.

Council member Takach said that was due to the addition of the crushed stone and it just drug out to far. I would like to try to seek some bids from some other people just for South Alley.

Adjournment

There bine no further business, it was moved by Takach, seconded by Engel to adjourn. Following vote on the motion is recorded: yea, 5; Davis, Engel, Forsthoefel, Slone and Takach. Nay, none. Meeting adjourned at 7:33 p.m.

Fiscal Officer

Mayor

