

VILLAGE OF KIRKERSVILLE  
BOARD OF PUBLIC AFFAIRS

May 31, 2022

OPENING: MR. DENTON CALLED THE MEETING TO ORDER AT APPROX. 7:00 PM AND OPENED WITH THE PLEDGE.

ROLL CALL: MR. DENTON AND MRS. BROWN WERE PRESENT. ALSO PRESENT WERE MAYOR TERRY ASHCRAFT, BRIAN ZETS, AND BPA CLERK VICKI COE.

OPERATOR'S REPORT: MAYOR ASHCRAFT INFORMED THAT THE PLANT NEEDS 2 FLOW METERS, AT THE HEAD AND AT THE EXIT, TO DETERMINE AVAILABILITY FOR NEW BUILDING, AT AN ESTIMATED \$10,000.

MAYOR ASHCRAFT INFORMED THAT ACCORDING TO THE EPA THE INLET GATE THAT CATCHES DEBRIS NEEDS REPLACED. ORIGINAL WAS PURCHASED IN 1993. RANDY STOLL ESTIMATES IT WILL BE ROUGHLY \$111,000. RANDY WILL DRAW UP PLANS. THE PROJECT NEEDS BID.

MAYOR ASHCRAFT INFORMED THE EQ TANKS NEED PUMPED BECAUSE THE AIR PIPES ARE PLUGGED, AT A COST OF \$4,000-\$6,000. THE EQ TANK MAY NEED REBUILT LATER IN THE SUMMER.

MAYOR ASHCRAFT REPORTED DAUBENMIRE'S PROPERTY SERVICES IS HANDLING MOWING AT THE PLANT AND IS DOING A GOOD JOB.

MOTION BY MR. DENTON TO BUY TWO FLOW METERS AT A COST OF \$10,000; 2<sup>ND</sup> BY MRS. BROWN. ALL IN FAVOR. MOTION PASSED.

PUBLIC POLL:

(1) ANTHONY FERRELL TO DISCUSS 145 MAIN STREET. HE PRESENTED THE FOLLOWING: THE VILLAGE ENGINEER'S REPORT THAT HIS PROPERTY ONLY HAD ONE TAP. HE WAS CHARGED 3 YEARS FOR 3 TAPS. THE ENGINEER DUG TO LOOK AND INSPECTED THE TAP. MR. FERRELL PURCHASED IT 6/21/18 AND TEN MONTHS LATER TORE THE HOUSE DOWN. HE WAS CHARGED 32 MONTHS FOR 2 TAPS HE DID NOT HAVE. HE SEEKS A REFUND.

MAYOR ASHCRAFT STATED HE GAVE MR. FERRELL THE INFORMATION TO TAP IT AND PHONE NUMBER FOR MR. BRITTENSTEIN, BUT HE DIDN'T TAP IT, SO THE CHARGE

CONTINUED. THREE APARTMENTS IN THE HOUSE WERE CHARGED THE SERVICE FEES OF THREE TAPS.

MR. FERRELL STATED HE DOESN'T WANT TO PAY FOR THE THREE YEARS THE BUILDING WAS TORN DOWN.

MR. DENTON STATED THE ASSESSMENT FOR THREE APARTMENTS WAS DETERMINED AT THE TIME THE SEWER LINE WAS PUT IN.

MRS. BROWN STATED THAT MONTHLY USAGE MUST BE PAID UNTIL THE TIME IT IS CAPPED WHETHER IT IS OR IS NOT BEING USED.

MR. DENTON THEN CLARIFIED THAT MR. FERRELL WANTS THE MONEY BACK.

THE BOARD REFUSED HIS REQUEST FOR A REFUND.

(2) CONNIE KLEMA, REPRESENTING DAVE WHITE, TO DISCUSS 205 E. MAIN STREET. SHE PRESENTED THE FOLLOWING: THERE IS NO USE AT THE BUILDING RIGHT NOW; IT IS VACANT. THE \$874 PER MONTH WAS ENDED UNTIL THE PROPERTY WAS READY FOR ZONING. THE PROPERTY IS ALREADY ZONED FOR THE USE MR. WHITE HAS CHOSEN. HE IS READY TO CONSTRUCT FOR THAT USE. THE PROPERTY DOES NOT NEED REZONED. IT WILL BE A MOTEL AND RESTAURANT.

MS. KLEMA PRESENTED PER VILLAGE CODE: CONNECTION, 207.01 (ITEM 1); APPLICATION FOR USE UNDER NEW OWNER, 404 (ITEM 2); CONNECTION FEE CHANGES IF USE CHANGES, 407.02(C) (ITEM 3); SERVICE CHARGES FOR SERVICE RENDERED THAT PROPERTY, 415.01 (ITEM 4); UNLESS THE PROPERTY IS DISCONNECTED, 415.02 (ITEM 5).

MRS. BROWN STATED THAT THE BOARD TOLD MR. WHITE HE HAD SIX MONTHS. MS. KLEMA REPLIED THAT THE TROUBLE IS THAT HE DID NOT NEED REZONING. MS. KLEMA STATED THEY WOULD HAVE MADE TODAY'S REQUEST LAST MONTH BUT THE MEETING WAS CANCELLED.

MS. KLEMA STATED WE NOW KNOW THAT PROPERTY IS ZONED FOR HOTEL AND RESTAURANT USE. OWNER WILL PREPARE PLANS TO CONVERT THE STRUCTURE, NOW NOT USED, TO A RESTAURANT AND HOTEL. THE BPA CODE RELIES ON USE FOR SERVICE FEES. NURSING HOME CAME OUT TO \$874 PER MONTH.

MS. KLEMA REQUESTED THE BOARD ALLOW THE OWNER TO EITHER (1) CAP IT NOW, OR (2) BILL THE MINIMUM CHARGE OF \$46 UNTIL PLANS ARE APPROVED. THE OWNER WILL SUBMIT PLANS TO ZONING AND REQUEST CONNECT AND USAGE FEES BE RECALCULATED TO REESTABLISH AMOUNTS UNDER THE NEW USE.

THE PLAN IS TO HAVE ENGINEER MAKE PLANS, SUBMIT TO ZONING BOARD, GET OCCUPANCY PERMIT FOR USE, SUBMIT TO BPA TO CALCULATE CONNECTION FEE AND USAGE FEE BASED ON APPROVED OCCUPANCY.

MR. DENTON SAID THE OWNER NEEDS TO CAP IT.

THE BOARD GRANTED REQUEST TO ALLOW TAP TO BE CAPPED. RICK FITCH, SEWER OPERATOR, MUST INSPECT AND SUBMIT A REPORT TO THE BOARD.

MS. KLEMA REQUESTED THE PROCESS. OWNER WILL HIRE PLUMBER TO CAP IT. SEWER OPERATOR, RICK FITCH, INSPECTS IT AT THE TIME; CALL HIM TO SET A TIME FOR HIM TO MEET AT THE SITE. AS MR. FITCH WAS JUST HIRED, MAYOR ASHCRAFT WILL FORWARD HIS CONTACT INFO TO MS. KLEMA.

PLANS FOR THE NEW PROJECT CAN BE DROPPED OFF TO VICKI AT THE TOWN HALL OR GIVEN TO MAYOR ASHCRAFT.

FEES FOR RECONNECTION AND NEW SERVICE FEES WILL BE FIGURED BY RANDY STOLL.

DISCUSSION OF THERE BEING ONLY ONE TAP LINE TO A BUILDING WITH SERVICE FEES BASED ON NUMBER OF USES AT THE BUILDING. MS. KLEMA STATED THEY UNDERSTOOD THAT NEW SERVICE FEES WILL BE DETERMINED BY NUMBER OF ROOMS, ETC. MAYOR ASHCRAFT STATED A FLOW METER CAN BE USED AT THAT TIME TO HELP MAKE THE DETERMINATION.

MS. KLEMA REITERATED FOR ALL:

- OWNER IS TO CALL TO SET UP TIME TO DISCONNECT AND CAP THE TAP.
- SUBMIT PLANS TO ZONING.
- SUBMIT TO BPA FOR NEW CONNECTION AND SERVICE FEES.

CLERK ASKED MR. ZETS IF RECONNECTION IS CHARGED THE FULL TAP FEE. HE STATED THERE IS A SEPARATE, DIFFERENT RECONNECTION FEE.

(3) KAREN KESSLER, OWNER OF 152 AND 160 E. MAIN STREET, TO DISCUSS VILLAGE PROCEDURES. SHE PRESENTED THE FOLLOWING: SHE ASKED ABOUT PAPER TRAIL FOR ACCOUNTABILITY, EMAIL CONTACTS, FORMAL PROCEDURES. SHE ASKED ABOUT

ACCOUNTABILITY AND POSSIBILITY OF MISCOMMUNICATION. SHE STATED SHE WAS TRYING TO FIGURE OUT WHAT THE BPA DOES, WHAT IS THE SYSTEM, HOW TO PREVENT DELAYS, ARE THERE EMAIL ADDRESSES, WEBSITES, FORMS, OFFICES, PANELS, ANYONE TO STAMP AS RECEIVED, ANYONE TO RECORD.

MS. KESSLER ASKED WHO WAS ON THE ZONING BOARD AND THE CONTACT INFO FOR THAT.

THE BOARD MADE NO RESPONSE.

MS. KESSLER ASKED IF THINGS ARE HANDLED ONLY MONTH BY MONTH. MR. DENTON ANSWERED YES.

(4) MR. FERRELL, OWNER OF 155 MAIN STREET, INFORMED HE WILL BE TEARING THE HOUSE DOWN. HE REQUESTED WHO TO CALL TO HAVE IT INSPECTED. MAYOR ASHCRAFT HAS THE PHONE NUMBER OF THE NEW SEWER OPERATOR, RICK FITCH, AND WILL GIVE IT TO ANTHONY.

MR. FERRELL ASKED IF HE WILL HAVE TO PAY FOR THE LAST MONTH EVEN IF NO ONE WAS AT LAST MONTH'S MEETING FOR HIM TO TALK TO. HE WAS INFORMED HE WOULD HAVE TO PAY UNTIL IT IS CAPPED.

(5) MS. KLEMA STATED SHE IS INSPIRED BY THE RECENT NEWS ARTICLE WITH COMMENTS BY BOARD MEMBERS WHO WANT KIRKERSVILLE TO BECOME MORE VIBRANT WITH DEVELOPMENT. SHE STATED THIS AREA IS IN A PERFECT LOCATION ALONG ROUTE 40 TO HAVE A NICE AREA ON MAIN STREET WITH BUSINESSES AND HOMES THAT FLOURISH, AND THAT WILL HELP PAY FOR UPKEEP OF VILLAGE. SHE IS EXCITED ABOUT THE HOTEL AND RESTAURANT COMING TO MAIN STREET AND HOPEFUL OTHERS WILL BE FOLLOWING.

BOARD POLL: NONE

OLD BUSINESS: NONE

NEW BUSINESS: NONE

CLERK REPORT: NONE

LEGAL REPORT: NONE

CORRESPONDENCE: INCLUDED IN MEETING FOLDERS

MOTION TO PAY THE BILLS: MR. DENTON MOVED TO PAY THE BILLS; 2<sup>ND</sup> BY MRS. BROWN. ALL IN FAVOR.

MOTION TO APPROVE MINUTES FROM MARCH: MR. DENTON MOVED TO APPROVE THE MINUTES; 2<sup>ND</sup> BY MRS. BROWN. ALL IN FAVOR.

MOTION TO ADJOURN: MR. DENTON MOVED TO ADJOURNE THE MEETING; 2<sup>ND</sup> BY MRS. BROWN. ALL IN FAVOR. 7:44 PM.

RESPECTFULLY SUBMITTED BY BPA CLERK VICKI COE.

THESE MINUTES ARE UNOFFICIAL UNTIL APPROVED BY THE BOARD OF PUBLIC AFFAIRS.

APPROVED BY THE BOARD THIS 28<sup>TH</sup> OF JUNE, 2022.

MRS. BROWN \_\_\_\_\_ MR. DENTON \_\_\_\_\_