

Village of Kirkersville Council Meeting Minutes

November 2, 2022

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

Council in attendance: Mark Davis, Jessica Forsthoefel, Jim Kincaid and Nick Takach

Absent; Dave Engel and Carrie Slone

Also Present: Fiscal Officer Shirley Roskoski, Solicitor Brian Zets and Engineer Randy Stoll

Minutes

It was moved by Takach, seconded by Kincaid to approve the minutes of October 5, 2022. Following vote on the motion is recorded; yea, 4; Davis, Forsthoefel, Kincaid and Takach. Nay, none.

Agenda

It was moved by Davis, seconded by Takach to approve the agenda. Following vote on the motion is recorded: yea, 4; Davis, Forsthoefel, Kincaid and Takach. Nay, none.

Public Poll

Rob Platte, Southwest Licking Community Water and Sewer District, said he wanted to give an update. When I initially spoke with you I shared that the water district was interested in getting public water throughout the village if council wanted to entertain that. You all agreed to at least look at that discussion so there is now a draft agreement going around that is being worked on by the attorneys.

Rob gave council a handout. He said if you look at page two it shows the existing water treatment plant which is currently at 1.5 to 2 million gallons per day and it can go to 3 million and can expand to 5 million.

The District has six wells in service right now and additional are being drilled.

Rob said the District has water lines going through the village and will have projects coming on line east of here, throughout Union Township, down 40 and 37 so the thought was, if it was possible, if we go ahead and do something for those residents in the village that want to hook up and we have made it very clear that we are not going to force anyone to hook up. We are looking at about 160 taps total. There's a map that shows existing lines and the proposed water lines.

The District went ahead and paid our consultant for the cost of designing these water lines. The estimated cost of this project is \$4,975,400.00. This will cover the total cost construction cost of the project including tap fees, service lines, valve box and meter settings. The village will not be responsible for any costs associated with this project. The District is just asking the Village to participate in JEDD's, TIF's and/or NCA's to help offset the cost of the construction. They are also asking the village to waive their right-of-way fees for this project. The District will also be applying for grants through Ohio EPA, Ohio Public Works Commission and Licking County CDBG program.

Council member Kincaid said he has been pretty outspoken on the need for water. I still have some research to do and I need to review the agreement once it's done to see if I still have some questions.

Todd Ward, Red Rock Development, gave an update on where they are at with their proposed development. He said the Planning Commission had some conditions on the approval. One was the Fire District wanted a secondary access to the property. We have worked with the SW Licking Community Water and Sewer District to swap some land with them so that we can have that secondary access off of 40 that the Fire Department is asking for. The buffers have not changed. The overall square footage of the buildings have not changed. I have proved Mr. Zets two sets of the changes.

Todd said on the annexation front Mr. Zets and I are working through the application process.

Council member Takach asked if the secondary access would be a closed gated entrance for fire access only or will that be open all the time.

Todd said we are working through that right now. The traffic study that we will do with ODOT will determine if we need two accesses or not.

Karen Kessler said I am her to follow up on a couple of things. I last talked to council about the parking striping in front of my buildings at 152 and 160 and I was referred to ODOT. I followed up with ODOT District 5 stating that the village was responsible for all striping of parking spots on SR 40. However, they are going to repave SR 40 within a year and they are only responsible for the centerline and the edge lines. Because of the repaving project in 2023, they are going to use the satellite images from 2012 and they replicate the parking because they are going over the parking lines. Just as an FYI, they said don't put any new parking lines in because they will be going over them.

Karen said she researched on who is responsible for the sidewalks in front of their property. She said ORC 723.01 says unless you have already put in place an ordinance putting the responsibility back on the property owner than it will fall under the responsibility of the village.

Mayor

Mayor Ashcraft said the fines for the month are \$1,052.00.

He said he is appointing Martina Davis to the Records Commission.

BPA

Mayor Ashcraft said everything is going well.

Police Chief

Chief DeLawder gave his monthly report. He said he is still receiving traffic complaints on 158 and west of town. We backed up Licking county 16 times last month. The OVI task force in Pataskala went well.

Streets

Mayor Ashcraft said the town dump truck is sitting down at the treatment plant and does not run. It also needs new tires, brakes and an oil pan. It also has a busted v blade on the front. He is asking for Council's permission to get rid of this. He said that Brandon Daubenmire is interested in purchasing this truck for \$250.00. It was moved by Davis, seconded by Kincaid to approve selling the truck at a cost of \$250.00. Following vote on the motion is recorded: yea, 3; Davis, Forsthoefel and Kincaid. Nay, none. Abstain, one; Kincaid.

Council member Kincaid said he received a quote for Gro-Green for salting and plowing of the roads this winter. The cost for plowing is \$340.00. Salt Spreading is \$325.00 and plowing of the sewer plant and alleys, when they reach 4 inches is \$440.00. These costs are per occurrence.

Council member Takach asked who determines what an occurrence is? Who determines if pre-treating will be done before a big storm.

Mayor Ashcraft asked Council member Kincaid wanted to be in charge of this. He said he would.

It was moved by Takach, seconded by Forsthoefel to contract with Gro-Green for snow and ice removal. Following vote on the motion is recorded: yea, 3; Davis, Forsthoefel and Kincaid. Abstain, one; Takach.

Fire Board

Council member Kincaid the said Board did not meet. Station 4 is underway. I attended the construction meeting. There are a lot of signs out about a permanent levy on the ballot. The 1.5 mil levy is staying the same. The only thing that is changing is the permanent levy. This is so we do not have to go back to the ballot every five years.

Engineer

Randy Stoll said the flow study is under way at the sewer plant. We are getting 60 to 70 thousand gallons per day. That raises some concerns about leaks or a flow of water coming from some other source. We need a heavy rain storm to see if it goes up. It will be really concerning if it goes over 100 thousand gallons per day. Randy said the flow study will be completed November 15 and there is an option to extend it for another month at an additional cost of \$1,000.00.

Council member Takach said I think we need it because we haven't gotten very much rain.

Randy said the plans are at the EPA right now for improvements to the bar screen and the permanent flow meter. When that is constructed next year you will have real time data continuously.

Randy said in regards to the paving project on Fifth Street. I have two issues to discuss with you. Costs are a concern. I got a preliminary quote from Shelly on what the cost would be and their price was \$80,000.00 over the estimate. There was also the cost of \$20,000.00 for traffic control. I set up a detour so that Refugee would route out to the east and down 40, rather than bring anything through town. They would also have to keep the street open partially for one-way traffic. We talked about maybe blocking it off at Stone and maybe doing part of that. We need to

talk about a time that we can close the road and have them just come in for a day or to and do it. That would save quite a bit of money. The other thing is, from white stripe to white stripe, there is a lot of additional ancillary asphalt that is outside the white lines through there. We need to talk about that. If we are replacing any of that it is above and beyond any road construction. I will get back with you on this.

Planning and Zoning

Mayor Ashcraft said we had a meeting a week ago and we have one scheduled for the ninth to look at a new zoning book.

Finance

Council member Davis gave the following fund balances.

General Fund	129,327.38	Street Fund	47,999.73
State Highway	23,187.31	Drug Law Enfct.	3,964.11
Indigent Drivers	400.00	Am. Rescue Plan	58,053.42
Enfct. And Education	80.00	Mayor’s Court Comp.	1,267.00
Sewer Operating	329,845.79		

For a total of \$594,124.74

Legislative Actions

First Reading- Ordinance 12-2022 - An Ordinance to reappropriate funds for current expenses and other expenditures of the Village of Kirkersville, State of Ohio, during the fiscal year ending December 31, 2022 and declaring an emergency.

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

First Reading – Ordinance 14-2022 – An Ordinance agreeing to assume maintenance responsibility for U.S. Route 40, otherwise known as National Road, directly adjacent to the parcel proposed to be annexed into the Village of Kirkersville (Parcel No. 010-017748-00.00)

Council member Takach asked why are we taking responsibility from ODOT?

Brian Zets said I drafted that just because Red Rock said that they had talked to the Licking County Engineer and the Engineer said that this was their policy. I have never heard of this before nor have I seen it. They said Licking county said we needed it so you have it as a first reading today. Apparently Licking County forwarded one to Red Rock from Hebron and they forwarded it to me. I was very up front with Red Rock. I said I would draft this. I do not endorse this whatsoever. I have no idea how the village is going to assume maintenance of Route 40 at this location. Really the village is immune from most things regarding the maintenance of the roads. There are certain situation where you would be liable but that is small, very narrow circumstances. I do not endorse this.

Council member Kincaid said we essentially have two months to say no to this.

Brian said I just received this on Monday at 4:00 p.m. and I drafted it today. I am not sure if the village should follow up with this. We are not a city. We have no responsibility for Route 40.

Bills

It was moved by Takach, seconded by Kincaid to pay the bills in the amount of \$26,405.00. Following vote on the motion is recorded: yea, 4; Davis, Forsthoefel, Kincaid and Takach. Nay, none.

Old Business

Discussion of the Intergovernmental Cooperation Agreement with Southwest Licking Water and Sewer.

Brian said I put that in there because I wanted to make sure that you guys keep talking about it. I went through the agreement and you can see the changes I have made to it. There is a lot in there. It is your decision one way or the other. As you read it, you basically are becoming your own economic development engine. There's language in there that concerns me in the fact the you are agreeing to create TIF's or these other economic development incentives to give all the money to them, which maybe you would want to do, when you saw that actual agreement. I am always very nervous about just agreeing today to do something tomorrow without knowing exactly what that would look because then you get into a fight later on where they want you to do something and you say you do not want to do that. They then show you the agreement that says you agreed to do something, this is something, and you don't want to do it.

One of the most basic things of a JEDD is you need a Township. I don't know where that plays in. Red Rock, right now, is talking about approaching the village about putting a CRA on the properties they are developing. You could layer a TIF on top of that. You would have to figure out how much money went to the District, how much come to the village. There's a lot too those things. I am not saying you shouldn't do it. The way it was drafted it seemed to be very much District heavy.

Council member Kincaid said last month we voted to purchase the speed signs but we never designated where the money was coming from. I think we would like to take half from the Highway Fund and half from the American Rescue Fund.

Shirley said in the reappropriation ordinance on the agenda tonight I had half coming from the Street Fund and half from the General Fund. She said State Highway funds is used to replace culverts and road repairs on State Highways. She asked Brian what he thought.

Brian said I don't think so. I also don't think you can use the American Rescue Plan money for that.

Shirley said yes, we can. That ruling was changed so that if you were under a certain dollar amount received, those funds can be used for any expense of the village, and the village is way under the dollar amount to be received. She said she is concerned with the sewer project and we do not know how much funding we are going to get to help pay for all the work that needs to be done at the treatment plant. I would hate to spend that money on the signs and not have it for the treatment plant.

Council member Takach said I am in favor of putting all of the American Rescue Plan money towards the signs. It was given to us to improve the village and it eliminates digging into the pots that are there to improve our roads as we need to.

Shirley said I don't want to be fifty thousand dollars short of getting the sewer plant done because we didn't get enough loan or grant money and then you are stuck not getting something done or you are going to raise the rates for the users to get this done.

Council member Kincaid asked if the American Rescue Plan money could go towards the sewer plant repairs.

Shirley said when the American Rescue Plan monies were sent out the requirements was that it could only be used towards, Water, Wastewater and Broadband. That was later changed to any expense of the municipality if they received less than the threshold amount they chose, which was a very large amount. Since the reappropriation ordinance on the agenda tonight cannot be passed tonight you can think about it and we can amend this at the next meeting. Shirley said you can do \$5,000 from General Fund and \$4,000.00 from Street Fund.

Council member Takach said I have old business on the alley revitalization. The estimate was redone to only include the village alleys, not the abandoned alleys, and adding the stone and the roller. This brought the estimate up \$32,784.00, almost a \$24,000.00 increase. This was because of the tonnage of crushed rock that we would have to put down. I do not recommend doing this now.

Mayor Ashcraft said we have money for gravel. Why don't we just gravel the alleys that need them.

Council member Takach said I can get an estimate just for the worst alleys to see what the cost would be.

New Business

Mayor Ashcraft said we need a new furnace. It has a cracked heat chamber. The blower motor is burned up in it. I received a quote from Gahanna Heating and Cooling in the amount of \$4,000.00.

It was moved by Kincaid, seconded by Takach to approve the cost of \$4,000.00 for a new furnace. Following vote on the motion is recorded; yea, 4; Davis, Forsthoefel, Kincaid and Takach. Nay, none.

Council member Forsthoefel said we will be holding the Visit with Santa on December 11 from 4:00 until 6:00. The PD will be involved also.

Mayor Ashcraft said the flags need to come down after the 11th. Council member Takach said he will take them down.

Public Poll

Anthony asked that no gravel be put down on his property since the alley was asphalt at one time.

Karen Kessler said she had surveys done on her property based on the County maps. She found out that the overlay maps in the County are anywhere from six to twelve feet off so not to trust those maps.

One gentleman said he is concerned about the noise that will be coming from the Red rock development and there was no noise discussion at the planning meetings. He said he is concerned about the noise from the trucks that are backing up and coming in and out.

There being no further business, it was moved by Kincaid, seconded by Davis to adjourn. Following vote on the motion is recorded: yea, 4; Davis, Forsthoefel, Kincaid and Takach. Nay, none. Meeting adjourned at 8:22 p.m.

Fiscal Officer

Mayor