

## RECORD OF PROCEEDINGS

May 10, 2021

The Council of the Village of Coldwater held its regular meeting in the election room of the Municipal Building on May 10, 2021, with Mayor Doug Bertke presiding. The meeting was called to order at 7:00 PM.

Roll call was responded to by: Buschur, Siefring, Schwieterman, Bettinger, Rutschilling and Brunswick.

Invocation by Buschur.

Guests included Jim Stelzer and Georgia Rindler. Other guests included Marge Kahlig, Bob Huwer, Kyle Dues, Zak and Mindy Schwieterman, Keith Kessen, Keith Hoyng, Mike Klenke, Aaron and Amy Miller, Matt Stammen, Steve and Keri Stammen, Aaron Wourms, Jenny Schwieterman, Moe and Emily Voskuhl and Cody Dues.

A motion was made by Brunswick, second by Schwieterman to approve the minutes from April 26th. Roll call resulted in the following ayes: Buschur, Siefring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried.

A motion was made by Rutschilling, second by Buschur to approve the bills. Roll call resulted in the following ayes: Buschur, Siefring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried.

A second executive session was added to the agenda under item 11 C. A motion was made by Bettinger, second by Siefring to approve the revised agenda. Roll call resulted in the following ayes: Buschur, Siefring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried.

Comments from the Public: Jenny Schwieterman thanked council for their time and consideration regarding Ordinance 1701. Bob Huwer asked where the water would drain and what type of street would be in the new development. Kyle Dues said it would be an asphalt street and Thomas said about half of the lots would drain to Hardin Creek and half would drain to Coldwater Creek.

Reports:

Police: The statistics report for April was distributed. Stelzer reported that the new Ford Explorer was put into service recently and that the Chevy Tahoe will be switched out sometime next week.

Finance Director: Eyink discussed the cash position report and income tax report for April.

Village Manager: Thomas said crews are repairing a few bad sections of concrete streets. He said there were only a few minor issues after the 4 inches of rain that was received on Sunday.

Mayor: None

Research Committee: The committee met on April 26<sup>th</sup>. The minutes were distributed with the council packets and are attached.

Old Business:

A motion was made by Brunswick, second by Schwieterman to go into executive session to discuss land. Roll call resulted in the following ayes: Buschur, Siefring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried. Time 7:06 PM.

A motion was made by Schwieterman, second by Buschur to come out of executive session. Roll call resulted in the following ayes: Buschur, Siefring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried. Time 7:18 PM. No action taken.

Ordinance 1701: An Ordinance rezoning certain real estate located within the Village of Coldwater, Mercer County, State of Ohio from R-2 Suburban Residential to R-4 Apartment Residential and declaring an effective date. Ordinance 1701 received its third and final reading.

A motion was made by Brunswick, second by Siefiring to approve Ordinance 1701. Roll call resulted in the following ayes: Brunswick. Roll call resulted in the following no votes: Buschur, Siefiring, Bettinger and Rutschilling. Schwieterman abstained. Motion Failed.

A motion was made by Buschur, second by Siefiring to go into executive session to discuss land and personnel. Roll call resulted in the following ayes: Buschur, Siefiring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried. Time 7:22.

A motion was made by Siefiring, second by Bettinger to come out of executive session. Roll call resulted in the following ayes: Buschur, Siefiring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried. Time 7:35 PM.

New Business:

A motion was made by Siefiring, second by Buschur to hire Jamie Stammen as the assistant Street Supervisor effective June 1, 2021. He will be in category D7 on the pay scale. Roll call resulted in the following ayes: Buschur, Siefiring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried.

A motion was made by Bettinger, second by Rutschilling to approve Village Manager Eric Thomas as the signatory on a lease for a new tower site. Roll call resulted in the following ayes: Buschur, Siefiring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried.

A motion was made by Schwieterman, second by Rutschilling to accept the bid of \$575,100 from Gaerke Brothers for the farm ground in Philothea. Judy Koesters will prepare the paperwork for the sale. Roll call resulted in the following ayes: Buschur, Siefiring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried.

A motion was made by Bettinger, second by Siefiring to sell 2.2 acres of land to Randall Bearing Inc. and to have the Mayor and Council president be the signatory for the transfer. Roll call resulted in the following ayes: Buschur, Siefiring, Schwieterman, Bettinger, Rutschilling and Brunswick. Motion Carried.

Council Call-Final Comments:

Buschur asked if there were any major issues from the 4 inches of rain. Thomas said there was a sanitary issue on Marian Drive that needs fixed. He said there was 6 feet of water in the retention pond.

Brunswick said the sidewalk near Hometown Cable has been fixed.

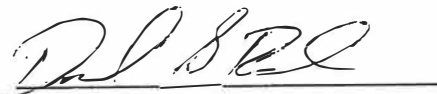
Bettinger thanked our police department in honor of National Police Week.

Eyink asked about the May 24 meeting and Mayor Bertke said we will still have a meeting as scheduled.

A motion to adjourn was made by Brunswick, second by Rutschilling. Motion carried. Meeting adjourned at 7:43 PM.

Attest: \_\_\_\_\_

Jason Eyink, Clerk of Council



Douglas Bertke, Mayor

## Research Meeting Minutes

Meeting, April 26, 2021 at 6PM.

Attendance: Research Committee: Charmaine Bettinger, Dale Rutschilling, Ralph Schwieterman  
Council Members: Kevin Brunswick, Tim Buschur, Troy Sieftring  
Mayor Doug Bertke, Village Administrator Eric Thomas, Village Finance Jason Eyink and Legal Judy Koesters.

Guests: Zak & Mindy Schwieterman, Kyle Dues, Romie Schwieterman, Cody & Adahlia Dues, Jennifer Schwieterman, Moe & Emily Voskuhl, Mike Klenke, Aaron & Amy Miller, Aaron & Missy Wourms, Jack & Deb Rutschilling, Keri Stammen, Matt & Roxanne Stammen.

Research Chair opened with a statement of time allotted and an invitation to keep it to one conversation as much as possible.

Romie Schwieterman, representative for Restful Acres opened discussion by stating the need for housing in Coldwater, not limited to single family homes. Feels triplexes are a good investment and traffic issues are not more of an issue than with single family homes.

Discussion was held regarding the covenants and restrictions that all of the neighbors had to sign when they purchased their land/homes. They were set up to protect the property value and wanted to know if there is anything in place for this development. Kyle Dues, buyer answered it will not be in place until after the purchase and land is platted. Neighbors expressed a concern that construction of triplexes will reduce the value of their properties, and about future plans for the lots. If triplexes are constructed on these initial lots, would that continue if the lots do not sell as single-family homes. This was a repeated concern during this discussion.

Zak & Mindy, contractors, informed everyone of their reason for the investment and that it is more of a 10-year plan. Kyle Dues also commented on the triplexes built on the West end of town and that single family lots are still selling, even though the triplexes are in place. He also mentioned the normal process of zoning from a commercial property to a residential area is usually a R-4 zone including multi family homes acting as a buffer to the single-family lots.

A discussion was held regarding maintaining the triplexes in future. Mindy expressed again this is an investment, not just for them, but for their children so they have a reason to keep their investment maintained, it is a return for their children and their retirement. Neighbor Keri expressed, they invested in knowing their home would be in a residential area of single-family homes, not multi-family homes, they may not have invested if they knew triplexes were a possibility.

Discussion was held to any previous zoning changes. Eric Thomas addressed this regarding annexed properties and zoning changes to commercial or PUD.

Neighbors again expressed their trust has been broken since they purchased their lots based on future development would be single-family homes. Concerns regarding value, first impression of residential areas with triplexes and the loss of wooded areas. Restful acres explained why the development stopped and why they now wish to sell the land. The family business was no longer in operation and the siblings agree to part with the land. And reinforced the need for land in Coldwater.

Discussion was held regarding water issues currently in their area and how the additional housing development will make it worse. Kyle explained he is using the original plans from 2004/2005 and plans to have Access engineering go over it and go above and beyond what is needed. He will upgrade any areas that the firm recommends. Kyle explained that he is hoping to split the drainage, with some going to Hardin Creek, and the other lots continuing to Terrace to Coldwater Creek. 12 lots would be going to Hardin Creek, opposite of current homes. 5 lots going to Terrace. The Detention pond, will be located on the Southwest corner.

Topic was brought up to neighbors for discussion, what is the difference of 5 single family homes that are not maintained, verses triplexes that are maintained? Mindy assured neighbors that they do background checks, are particular about their renters and will bring in police if it is necessary to evict. Discussion continued on turnover of residents and future plans if lots do not sell. Would more triplexes be built?. Kyle Dues reminded them of zoning regulations such as road frontage that some lots would not be able to be multi-family lots. And his plan is to sell the lots as currently zoned. Final development plans and plats will need to be approved by both the planning commission and village council regardless of zoning changes.

Parking concerns were discussed as to street parking as well as resident parking in driveways...how many driveways per unit. Each unit will have a garage and driveway and meet zoning regulations.

Neighbors invited council to walk through area to see actual lots and asked Council "what is the benefit of this zoning change?"

Kyle Dues ended with his statement of understanding and respect.

Meeting ended at 7:05PM.

Respectfully submitted by Charmaine Bettinger, Research Chair.