

## RECORD OF PROCEEDINGS

September 9, 2024

The Council of the Village of Coldwater held its regular meeting in the Village Council Chambers on September 9, 2024, with Mayor Doug Bertke presiding. The meeting was called to order at 7:00 PM.

Roll call was responded to by: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Also present were Village Manager Eric Thomas, Law Director Judy Koesters and Finance Director Jason Eyink.

Invocation by Niekamp.

Guests included Kevin Wynk, Georgia Rindler, Frank Elking, Barb Elking, Mike Wenning, Cindy Wenning and Marge Kahlig.

A motion was made by Rutschilling, second by Buschur to approve the minutes from August 26, 2024. Roll call resulted in the following ayes: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Motion Carried.

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

The agenda was revised to add Resolution 839 to the New Business section of the agenda. A motion was made by Bettinger, second by Seitz to approve the revised agenda. Roll call resulted in the following ayes: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Motion Carried.

Comments from the Public: Marge Kahlig spoke on behalf of the guests in the audience. The Wenning and Kahlig family developed several subdivisions over the years and paid money into the Boost the Park Fund at the Mercer County Civic Foundation. At the time that money was meant to be used for land acquisition for future park land. Thomas explained that the land acquisition fund was depleted when the village bought the Coldwater Nature Preserve. Barb Elking was on the park board at the time the Boost the Park Fund was established. She explained the fund and said it was created at that time because the village was making cuts in all areas. She would also like the fund to be promoted more so people were more aware of it. Many people do not realize it exists. Eyink said this has been discussed at previous meetings and there is a plan to promote the fund in the near future, but the village is hesitant to promote it now due to four local levies being on the ballot in November. The request from the group going forward was to make sure money in that account is used the way it was originally intended, for larger capital items and projects, and not land acquisition. Thomas said the park board would need to approve that and they should be able to do that in the near future.

### Reports:

Police: The police department recently posted a picture on Facebook of a suspect who stole a bicycle near the school. They have no leads at this time.

Finance: Eyink discussed the tax report and the cash position report. He and Thomas recently met with Stolly insurance regarding the liability policy. The cost for the upcoming year is \$49,638 which is about the same as last year. He discussed Resolution 837 regarding the amounts and rates received from the Mercer County Budget Commission. The village should receive about \$60,000 in additional funding from property taxes in 2025 due to property valuations.

Manager: Thomas said a few more splash pad toys have arrived. He also said there are a couple of issues with the equipment already, one of the toys is leaking and an actuator is not working. The street crew will be fixing a section of Mary Lane this week.

Mayor: Bertke thanked Niekamp for running the previous meeting due to a work trip that came up for him.

Committee: A safety committee meeting was held on August 26, 2024. The meeting was called to order at 7:30 PM. Present were Buschur, Bettinger, Niekamp, Thomas, Eyink, Rutschilling, Seitz and Wynk. The purpose of the meeting was to begin discussions regarding the upkeep of dilapidated structures within city limits and the possible requirements needed in maintaining these structures. There appears to be several structures that may need to be addressed and they may fall outside the scope of the current ordinance. Kevin Wynk has been in discussions with Celina as to how they address this similar issue.

Several other issues were discussed with regard to current ordinances that may need to be revisited in the future:

- 1) Solicitor ordinance - Possible proposal is to raise the rate from \$50 to \$200 and reduce the permit time frame from 1 year to 30 days.
- 2) Registration for golf carts - possible changing the fee for residents outside of the city limits to \$100 for inspection due to increase in people who live outside city limits needing permits; and to ensure that all drivers must have a valid driver's license.
- 3) Scooters/ electric skateboards - current ordinance is much too vague with little direction. Some research has been done in looking at what Bowling Green is doing.
- 4) Issues with motorized vehicles (mainly golf carts) in the park.
- 5) Do we need to address and add an ordinance pertaining to someone using a device to project sound. Not taking away anyone's freedom of speech but define parameters as to what people need to follow. Ex. bullhorns on the street corners, loud music in neighborhoods. The park currently has regulations concerning this and perhaps the town needs to follow suit.

The meeting adjourned at 8:05 PM.

Old Business:

Ordinance 1739: An ordinance setting the number of members of the Coldwater Fire Department and declaring an effective date. Ordinance 1739 received its third and final reading. A motion was made by Niekamp, second by Bettinger to approve Ordinance 1739. Roll call resulted in the following ayes: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Motion Carried.

Ordinance 1740: An ordinance rezoning certain real estate located within the Village of Coldwater, from R-2 Suburban Residential to R-4 Apartment Residential. Ordinance 1740 received its second reading.

New Business:

Ordinance 1741: An ordinance amending the business regulations contained in Chapter 840 of the codified ordinances of the Village of Coldwater and declaring an effective date. Ordinance 1741 received its first reading.

Ordinance 1742: An ordinance authorizing the use of under speed vehicles, utility vehicles, and mini trucks on village streets where the speed limit is 35 miles an hour or less and declaring an effective date. Ordinance 1742 received its first reading.

Resolution 836: A resolution designating and authorizing the Village Manager to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement program and to execute contracts as required and declaring an emergency. This application would be for improvements to Second Street. A motion was made by Buschur, second by Seitz to suspend the rules for Resolution 836. Roll call resulted in the following ayes: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Motion Carried.

A motion was made by Niekamp, second by Davis to approve Resolution 836 on its first and final reading. Roll call resulted in the following ayes: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Motion Carried.

Resolution 837: A resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county auditor and declaring an emergency. A motion was made by Bettinger, second by Buschur to suspend

the rules for Resolution 837. Roll call resulted in the following ayes: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Motion Carried.

A motion was made by Niekamp, second by Rutschilling to approve Resolution 837 on its first and final reading. Roll call resulted in the following ayes: Buschur, Niekamp, Bettinger, Davis and Seitz. Motion Carried.

Resolution 838: A resolution accepting the local government fund amount as determined by the Mercer County Budget Commission and declaring an emergency. A motion was made by Rutschilling, second by Buschur to suspend the rules for Resolution 838. Roll call resulted in the following ayes: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Motion Carried.

A motion was made by Niekamp, second by Seitz to approve Resolution 838 on its first and final reading. Roll call resulted in the following ayes: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Motion Carried.

Resolution 839: An emergency resolution opposing Dominion Energy Ohio's proposed 30% rate increase and requesting that the PUCO deny Dominion Energy Ohio's request. A motion was made by Rutschilling, second by Davis to suspend the rules for Resolution 839. Roll call resulted in the following ayes: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Motion Carried.

A motion was made by Niekamp, second by Buschur to approve Resolution 839 on its first and final reading. Roll call resulted in the following ayes: Niekamp, Bettinger, Buschur, Seitz, Rutschilling and Davis. Motion Carried.

Council Call-Final Comments:

Thomas said the paperwork to ODNR has been submitted for the pickle ball grant. We should have the grant agreement by the end of the week.

Niekamp and Bettinger thanked the guests for coming to the meeting.

Rutschilling advised gardeners that the Mercer County OSU Extension is offering cover crop seed again this year.

Bertke told Wynk he has seen many golf carts with no one wearing a seat belt especially kids. It is also getting darker earlier and he has seen them driving with no lights.

A motion to adjourn was made by Seitz, second by Rutschilling. Motion carried. Meeting adjourned at 7:56 PM.

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

Jason Eyink, Clerk of Council



Douglas Bertke, Mayor