

THE CITY OF FREMONT, OHIO
Journal of Council
October 16, 2014

The regular meeting of Fremont City Council was called to order at 7:30 p.m. in the form prescribed by the General Rules of Council. President of Council Dallas Leake called the meeting to order.

The following members answered roll call: Ruiz, Stout, Gross, Knisely, Koebel, Kreilick, and Michles.

The minutes for council meeting held on October 2nd were approved.

Mr. Michles made a motion to lie on the table items number 3 and 6 on the agenda stating the city did not have enough money to do either item or put an undue burden on the City of Fremont, seconded by Koebel. Motion failed 4 no votes to 3 yea votes.

Second reading of a resolution Fremont City Council finds it is in the best interest of the city to conduct an auction on October 25, 2014 and declaring an emergency. On a motion to amend the date to May 2, 2015 by Ruiz in all places it appears, seconded by Koebel. Motion carried 7 – 0.

Second reading of an ordinance to authorize the expenditure and direct the Safety Service Director to enter into a contract with Baker Bonningson Realty & Auctioneers, Inc. for the city auction on October 25, 2014 and declaring an emergency. On a motion to amend the date to May 2, 2015 by Stout, seconded by Michles. Motion carried 7-0.

First reading of an ordinance authorizing the Mayor to proceed with the process of removing the Ballville Dam and declaring an emergency. Mr. Michles made a motion to table this item for 90 days, seconded by Koebel. Motion failed 4 no votes to 3 years.

First reading of an ordinance approving the editing and inclusion of certain ordinances as part of the various component codes of the Codified Ordinances of Fremont, Ohio, and to amend or enact sections of the Traffic, General Offenses, and Fire Prevention Codes to conform to enactments of the General Assembly. On a motion to suspend rule 4 by Knisely, seconded by Ruiz. Motion passed 7 – 0. On a motion to adopt by Knisely, seconded by Ruiz. Motion passed 7 yea votes. (Ord. 2014-3736)

First reading of an ordinance amending appropriations within General Fund 101 and Street Maintenance Fund 222, and declaring an emergency. Mr. Grahl explained that the ordinance was for small budget adjustments in the Auditor's office, Economic Development Department, and Street Maintenance Department. On a motion to suspend rule 4 by Knisely, second by Stout. Motion carried 7-0. On a motion to adopt by Knisley, seconded by Ruiz, motion carried 7 yea votes. (Ord. 2014-3737)

First reading of an ordinance authorizing the Mayor to proceed with the process of repairing the Ballville Dam and declaring an emergency. Mr. Michles made a motion to table this item for 90 days, seconded by Koebel. Motion failed 4 no votes to 3 years.

First reading of an ordinance accepting the Plat and Survey, Maintenance Agreement, and dedication of Kaylee Drive and declaring an emergency. Mr. Frederickson explained that KF Construction want to continue develop Meadows Creek. 300 feet of Kaylee Drive needs to be dedicated to them. Maintenance agreement will stay with KF and not cost the city any money. On a motion to suspend rule 4 by Knisely, seconded by Ruiz. Motion carried 7 yea votes. On a motion to adopt by Knisely, seconded by Ruiz. Motion carried 7 yea votes. (Ord. 2014-3738)

First reading of an ordinance to authorize the expenditure and direct the Safety Service Director to enter into a contract with Toledo Development Corporation for planning services, conducting a Charrette, and developing design proposals for Historic Downtown Fremont and declaring an emergency. Mr. Smith want to hold a Charrette where senior architects to collect public input on the design of downtown and what people want to see downtown. Mr. Smith said that the correct title is Toledo Design Center. On a motion to amend the item to the correct name by Michles, seconded by Kreilick. Motion carried 7 yea votes.

Stock Transfer for Buffalo Wild Wings. Motion to show no objection by Kreilick, seconded by Knisely. Motion carried 7 yea votes.

Presentation from Randy Rohm. Mr. Rohm presentation was on the removal of the Ballville Dam and believing that it would be a mistake to do so. He encouraged the audience to use common sense on making the decision about the damn. He commented that if removing the damn turns out to be a mistake we will not be able to erase it.

President Leake said that he has received applications for rezoning on properties located at 425 North Wood Street and 201 South Park Ave. President Leake read the letter from the Zoning Committee. Council

THE CITY OF FREMONT, OHIO

Journal of Council

needs to hold a public hearing within 60 days; and that meeting has been scheduled for November 20, 2014. President Leake asked Mr. Frederickson about the written notification to residents that may be affected by the rezoning. He stated that he and his department would take care of the notifications.

Committee Reports

Parks and Recreation Committee – Chairman Koebel reported on the activities that are taking place with the Rec. Department. The department will be holding a Halloween Goblin Skate Event on October 27th from 6:30 -8:30 p.m. the cost is \$3.00. He also reminded citizens that 1st and 2nd grade basketball registration end on October 24th.

Government and Economic Development Committee – Chairman Stout reported the first Community Economic Development Council will meet tomorrow. She said it has been a pleasure to work with Mr. Smith and he is a driving force in the development of these projects. There will be about 20 community leaders involved in this council. President Leake asked if average citizens had an avenue to be a part of the discussion and Mr. Smith stated the AEP grant that the city has obtained included a digital way for citizens to express their concerns on the city's economic development.

Citizens Service Committee – Chairman Ruiz reminded the community that Trick or Treat will be held on Sunday October 26th from 4:00 to 6:00 p.m. Please be careful of the children.

Laws, Rules, and Ordinances Committee – Chairman Gross working with Traffic Safety Committee to address various traffic issues and working with Mr. Smith to review the city's ordinances and update and remove those that do not apply.

Utilities and Traffic Committee – Chairman Kreilick will be holding a Committee meeting at the next council meeting on November 6th beginning at 6:00 p.m. to discuss sediment extraction.

Community Partnership Committee - Chairman Knisely nothing to report

Finance and Labor Committee – Chairman Michles thanked Mr. Grahl for the monthly financial reports and stated that citizens could review the reports in the Auditor's office.

Council Comments

President Leake asked the Council to hold their comments if they pertained to the dam.

Mr. Michles reminded citizens to show extra caution for students going to school.

Mrs. Kreilick wanted the citizens to know the final Farmers Market will be held on October 18th.

Mr. Knisley nothing this evening.

Mr. Gross questioned the mayor on postponing the auction if it cost the city any money. The Mayor told him that it did not.

Mrs. Ruiz nothing this evening.

Mrs. Stout nothing this evening.

Mr. Koebel nothing this evening.

Elected Officials' Comments

Mr. Melle nothing to report.

Mr. Grahl nothing to report.

Mrs. Elder nothing to report.

Mayor Ellis nothing to report.

Mr. Smith nothing to report.

Mr. Frederickson nothing to report.

Mr. Lamson nothing to report.

Chief Wiersma stated application for patrol officers is online until October 31st. He stated that the Records Clerk deadline was tomorrow.

Mr. Ward stated Traffic and Safety Committee met and the decision of the committee was to put sign up by October 31st that there would be no parking on the west side of the street on Alger and Stillwell. An option for residence includes looking at off street parking and that the city will waive fees for curb cuts for a drive in front of houses. Handicapped

THE CITY OF FREMONT, OHIO

Journal of Council

signs will be validated and they will be removed from the west side of the street. Also the one way from Clover and Wood to Napoleon begins October 31st. Leaf pick up begins November 3rd with a drop off of brush on November 8th. Chief Foos nothing to report.

Public Comments

Mayor Ellis made a recommendation to the council to approve removal of the Ballville Dam. He suggested that we follow the recommendations of the experts concerning the silt behind the dam. He also believes that the fair market value for homes surrounding the area would only be effective for a couple of years. He stated that repairing the dam was not an option that was feasible for the city of Fremont. The ice control structure is experimental, but as Mayor he has no desire to have a situation as in 1918. A decision needs to be made and the most cost effective decision is to remove the dam. He urged the council to vote to allow him to proceed with the removal of the dam. A discussion was held between Mr. Michles and the Mayor on numbers discussed during the Mayor's statement. Mr. Koebel asked the Mayor about the wood build up behind the ice structures and the change orders in. He stated there would be no buildup of wood on the ice structures. President Leake questioned the Mayor on the timeline that was established that stated we had until summer 2015 to make a decision on the dam. The Mayor stated that timeline from NWH stated a decision needed to be made in October 2014. President Leake then question the Mayor's statement concerning that anything over 11.5 million dollars for the removal would then become the responsibility of NWH and if it was in the contract. Mrs. Kreilick made a statement to the Mayor that the dam was not only affected by those on the impoundment, she assured him other citizens were concerned and would be affected too. Mr. Koebel agreed with Mrs. Kreilick's statements and said if the ODNR wanted the dam down let them take the responsibility of paying for it to be removed. President Leake asked if there was money available to remove the dam and the Mayor stated there was about 7 million available. He also stated that the money would have to be borrowed for the removal of the dam. Mr. Gross asked the Mayor if he the figures he stating were correct it would cost the city 3.5 million to remove the dam verses 26.9 to repair it. The Mayor said those figures were correct with hopes to cut more cost. President Leake asked what would happen if we did nothing. The Mayor stated he was not sure but would put city of Fremont in a bad light with the State.

Mike Dukeshire 755 Celek Drive Fremont, Ohio. Mr. Dukeshire wanted council to think about what would happen if we don't take the dam down now. At what cost in the future if we wait another 20 years. He stated that the water behind the dam has been called a secondary water source. The primary water source is the Sandusky River with the secondary being the Reservoir. He stated that the professional's statements are being thrown around by both parties and that no one from the city of Fremont has objected to the removal or come forth to state so. Council members told him that statement was wrong.

Steve Hottinger 1023 Rawson Place Fremont, Ohio. To his understanding there are 3 choices: Take down the dam, remove the dam, or do nothing. He wanted to encourage council to remove the dam to take the river back to its natural state. The majority of people who want to remove the dam seem to have solutions. People who want to repair the dam only raise question. Financially it makes the most sense to remove it.

Kim Haubert Sandusky Township He is a member of the Toledo River Gang, a kayak club. He would like to see the dam removed for class 5 kayaking. It will bring people to Fremont just for that reason. Mr. Koebel asked about the current going around the ice structure and safety of the participants.

Jim Sherck 221 Buckland Ave. He wished to rebut a couple things that were stated at the town hall meeting. He showed a picture of a structure. He believes that no response was given on how to keep structure free of debris. The release of silt would be good into the marshland was stated at the town hall meeting by Army Core. The environmental resources say that silt hurts marshland. Fifteen thousand acres of prime marshland will be affected. Mr. Sherck stated Fremont cannot afford to fix the dam or remove it; the city does not have the money.

THE CITY OF FREMONT, OHIO

Journal of Council

Dave Mosser Keller Drive showed pictures of Ballville dam from 16 years ago when the AEP opened the dam. He pointed out that the settlement did not go anywhere. He thinks the longer the city waits the more it is going to cost the city. He would like city to remove the dam.

Randy Rohm 396 E. C.R. 181 Fremont, Ohio. Enjoys the addition of the reservoir. Mr. Rohm stated that the city needed to look for money to repair the dam. In Dover, Ohio they received a grant to repair their dam. The Mayor disputed the fact that the city did not look for grant money to repair.

Mariys Hanna-Ingles 180 Norbert Drive Fremont, Ohio. Questioned what will happen if the city did nothing to the dam. The Mayor stated that we would be in violation of the law and would get a fine imposed on us. She believes that some of the people who do not want the dam down are purely sentimental. She also stated she believed since the reservoir was so mismanaged that people do not want to do anything in fear that the dam will be the same way over budget. There is too much mistrust in what will happen. Mr. Michles also answered the question about what would happen if we did nothing. He said a lien would be put on the city of Fremont taxes which they do not pay and that ODR should take the dam down if they wanted it down. He stated the lack of planning has gotten us into the mess that we are in now.

President Leake thanked everyone for coming out and stated he thought this was the way for the community to discuss this important decision.

There being nothing further to come before council, on motion to adjourn by Knisely seconded by Ruiz, motion carried 7 yea votes. Meeting adjourned at 9:48 p.m.

Clerk of Council

Council President