

MEETING MINUTES OF ST. MARYS CITY COUNCIL

PRESIDING OFFICER:
James J. Harris
Council President

April 11, 2022
6:30 p.m.
Council Chambers

ROLL CALL: Bubp, Randolph, Christman, Willoughby, Fitzgerald, Uhlenhake
Absent: Fleagle

Moved by Mr. Bubp, seconded by Ms. Willoughby, to accept the Minutes of the March 28, 2022, meeting. Motion passed unanimously.

PETITIONS & COMMUNICATIONS:

With several residents in attendance, Council President, James Harris, gave each individual in the audience the opportunity to address Council.

Jody Poff, who lives on Deerfield Court in West Oaks Lakes, addressed Council stating he was the owner of the ducks in question. There is a pond in the West Oaks Lake housing development where Jody and his family have been raising some ducks for over a year. He feels the complaints that have been raised are invalid and wants to defend the fact that he is being told he has to get rid of the ducks and they have to leave the body of water they have been on for a year. He said the individual issuing the complaint has shot at the ducks with BB guns and thrown firecrackers at them. Jody said the same individual feeds the fish in the pond and when the ducks see this, they are attracted to it and do go into the neighbor's yard. He went on to say if the City does not renew his permit, he will abide by it and fears for the life of the ducks since they are domesticated. He said there are other families that live on the pond that like the ducks being there and that he followed the rules in getting the permit. Releasing the ducks in the wild would be abandonment, which is a crime. Getting rid of his ducks will not get rid of the geese, Blue Herons, and Mallards that are also on the pond. Jody presented a letter to Mr. Foxhoven from another neighbor that is in favor of the ducks staying.

Bill Metzger addressed Council saying the ducks would not last at K.C. Geiger Park. They will not survive. Mr. Foxhoven stated it is a concern. He has talked with Sgt. Turpin and if the permit is not renewed, they need to help find options to release the ducks. They know they are domesticated and don't have the survival skills. He also said they are open to location options.

Gary Puthoff, Kensington Drive, addressed Council stating that his wife loves the ducks. They are supportive of the ducks staying. He collaborated that the neighbor not wanting the ducks to be there, said he would get the permit pulled and did in fact throw fire crackers, etc. at them. The ducks do not normally go into the neighbor's yard until he starts feeding the fish.

Jody Poff spoke again stating the complaint is that they are hurting the yard. Jody said he has done a lot of research and said they actually help. He said there is no evidence of being a nuisance. He wants them to stay and asked that they are not made to leave the pond. It would be a death sentence to the ducks. Jody's daughter, Jersey, emotionally said the ducks have been a big part of her life and she has enjoyed feeding them and watching them grow up. It will be sad if they have to get rid of them.

Bill Metzger then addressed Council stating he worked for the City of St. Marys in the electric department as a lineman and as Superintendent of Distribution for many years. He lives north of St. Marys in Noble Twp. He said he now has a sawmill and logging business and he has seen the City go from great places for having wildlife to mowing everything. He said birds, etc. need a place to nest. He said they do not realize the destruction going on in rural America and Central Ohio. Box turtles and spring pepper turtles are gone. He said kids in St. Marys played in Sleepy Hollow. It is a beautiful place for deer and there is about a half-acre of Texas Bluebell flowers in this area that he has only seen along the Blanchard River. These will be destroyed if a street is put in. There is no place for wildlife in Auglaize County except between the river and the canal in these woods. He said if they want to put a road in fine, but it is too beautiful of an area to put houses in.

Shirley Bernard lives on Coventry Green said she agreed that if homes are built, it would take all of the beauty away. They see a lot of deer in the field in this area. Sleepy Hollow has been there forever. Her husband, played there as well as her kids and grandkids. She said she thinks St. Marys is destroying this place. We don't have many woods any more. We want to destroy this just to build houses. We need beauty and we need nature. It's history.

Nate Carmean addressed Council stating he owns a house on Coventry Green. He grew up with neighbors playing in Sleepy Hollow. It's part of St. Marys history. He said he is an advocate for conservation. We do need trees, conservation, and wildlife. Sleepy Hollow is a gem in town. Other cities would kill to have this as a metro park. He believed many people in the room played in Sleepy Hollow growing up.

Nate said he had some questions on what this would really do with the destruction of this area. He knows 7.8 acres are being preserved. Mr. Heinrich always said he would never develop it. Nate said where they grew up on Coventry Green; Mr. Shuffelton owned all of this and did not want it developed. It was always just understood that Sleepy Hollow would never be touched; therefore, no one ever pursued the issue. Then they found out in the newspaper. He said the people want to be heard. He asked Mr. Bulp why he did not go and talk to his constituents about this. Mr. Bulp responded that he did not feel it was a need. It was no secret. Nate said these residents have been living in this area for 40-50 years looking at beautiful trees. The people are upset and believed Mr. Bulp should have come and asked if they had an opinion on this. Nate said nobody wants this back there. Mr. Bulp said it is not typical for them to do so. Nate asked if they ever developed around a wildlife area that has been there for hundreds of years that touches the canal. It is a different scenario. Mr. Bulp said that housing is very short in this town. The available lots behind Kohl's was questioned. Mr. Uhlenhake said that St. Marys is more of a blue-collar town. The Canal View lots behind Kohl's are more for upscale homes. The proposed 16 lots would be for the average person to build a new home.

Nate asked Mr. Foxhoven if the EPA had been contacted at all. Mr. Foxhoven said that part of the funds to purchase the property was through a Clean Ohio grant, so the State is aware. Nate asked if Clean Ohio funds were used to purchase the entire Sleepy Hollow. Mr. Foxhoven said part of it was purchased with Clean Ohio funds, the City paid part, and part of it was donated by the Heinrich family. Nate asked if the City could have bought the entire sleepy hollow with Clean Ohio funds. Mr. Foxhoven he did not believe so. Nate asked if the City had any leases on the canal. Mr. Foxhoven said we do have lease agreements, but the canal is currently owned by the State. Nate stated that when with a new subdivision or road we are destroying existing drainage. Mr. Foxhoven stated they are taking all of that into consideration. Nate asked when the City was planning to do the road through the area. Mr. Foxhoven said they would probably include the extension of Keel Drive ___ in the fall of this year and would guess they would probably start in the spring or summer of next year with completion being the end of 2023. This is not set at this time. The road development is on the back burner right now. Nate asked if the City was familiar with the permit and fees, etc. He said the EPA process is a huge process. He said there is a lot of interest in this. Sleepy Hollow is a beautiful area for Auglaize County. If we want to bring people in, a metro park would bring more people in. He said they do not want to lose that. This needs to be addressed. There are wetlands back there and the EPA will be looking at this. He said he knows the City will have to go through the right steps.

Nate then addressed Ms. Randolph saying when she ran for City Council one of her platforms was to develop Sleepy Hollow. Ms. Randolph responded the plans for this were already started before she ran. As a licensed real estate agent and that there is a need for homes within the City, it seemed like the logical step so she did run on the platform to extend Keel Drive. Nate asked Ms. Randolph several questions including if she had done any EPA studies and if she thought destroying half of Sleepy Hollow would change the natural filtration that flows into the body of water owned by the State. Ms. Randolph said that adding houses would change the filtration and that proper drainage would be included in the plans.

Melissa Wenning said she grew up on Coventry Green and in Sleepy Hollow and would hate to see it go. It is a beautiful place. She did not see the purpose in this and asked if the City had looked into developing other land instead of destroying stuff. More housing here would be adding more chaos for the area. She stated it is already horrible to try to get off Hillcrest Drive. Traffic is already backed up from the light at Kroger to Circle K trying to get kids to school.

John Burd, Jr. said he grew up around this area. He said the only thing we have in this town is the canal. Let us make something of it. Putting more houses up is not going to do anything.

Judy Weng said she has lived in this neighborhood for 47 years. She said all of their children played in these woods. She personally does not have a problem with the street being finished and did not think it would take that much of the woods, but if the majority of the people in that area want it, then that is how Council members should vote. She said they are tired of not being represented. She agreed lots and homes are not available for first or second time homebuyers. She did not see a problem with

the 16 affordable lots. All of our young people are moving out of town because there is no houses here to buy or rent. She suggested the City work on that some place and mentioned the properties by the high school. Judy said she came here tonight to ask what the plans are for the drainage. When the Kroger area was developed, the Sprucewood Subdivision was overloaded with storm drainage. People with basements who have lived there for 50 years and had no issues with water are now getting sewage and flooded basements and nothing has been done about it. She wanted to know if 16 more houses were put up, what is going to be done with the drainage. Judy also said she has neighbors that have been told the flooding is their problem. Judy said the problem is the tile that goes from that house down to the creek is constantly backing up because it's not maintained and cleaned out on a regular basis. She said they don't want another problem. If they put the street in, the water better be taken somewhere other than this neighborhood.

Cynthia Cornell Briggs, now living on Barrington Road, addressed Council stating she played in those woods growing up. This should be a metro park. Kids still play in there. Many people love those woods. It would be depriving a whole generation of enjoying these woods. She said it's not right. Mr. Shuffleton said it was for kids to enjoy. It was like a gentleman's agreement. They need it to be a metro park. They don't need houses there. It needs to be preserved for generations of kids and families to enjoy. It's really important to preserve this legacy. Melissa Wenning added that she and her family spends time in these woods and it is important.

Bill Metzger said he has been a country boy all of his life and has grown up around wildlife. We have lost so much ground cover over the years. He thinks it is very important to save this for generations to come. It is our responsibility to leave something for the next generation, not just houses and open ground. It is our responsibility. If we do not save it, who is going to.

REPORTS OF CITY OFFICIALS COMMITTEES ETC.:

The Mayor's Report was presented.

The Tax Commissioner's Report was presented

The Director of Public Service and Safety's Report was presented. Mr. Foxhoven added that on Saturday the Wayne Street United Methodist Church is hosting an Easter Egg Hunt in Memorial Park at 10:00 a.m. After the Easter Egg Hunt SMART is sponsoring a Bunny Trail downtown.

COMMITTEE REPORTS

Mr. Bulp presented the Electric Committee report. They talked about the Power Cost Adjustment cost for electric. Right now, it is a 3-month rolling average and they want it to go to a 6-month rolling average so you get rid of the high peaks and low valleys to smooth out the cost. This impacts the large electric users. It will help them to budget more appropriately for their electric rates.

An ordinance is on the night's agenda.

Mr. Bulp presented the Parks and Playgrounds Committee report. They met with the youth football group. They talked about a place for them to have one area for youth football. Ashley Randolph proposed using Kuck's Cove for this. A layout was discussed with the group. We would have to fill in some of the low drain areas and add restroom and storage facilities, as well as parking and lighting for the fields. Right now the youth football struggles for fields. The program is growing and they need more space. This could be a future project in 3-4 years.

ORDINANCES & RESOLUTIONS:

Resolution No. 2022-07 was presented to Council for a second reading.

RESOLUTION NO. 2022-07 – A Resolution Clarifying the Name of Edwards Street in the City of St. Marys

The resolution will be back for a third reading.

Ordinance No. 2022-18 was presented to Council for a first reading.

ORDINANCE NO. 2022-18 – An Emergency Ordinance Modifying Power Cost Adjustment in Electric Rates for the Municipal Electric System

Moved by Mr. Uhlenhake, seconded by Mr. Fitzgerald, to read Ordinance No. 2022-18. Motion passed unanimously.

Mr. Foxhoven added to Mr. Bulp's report that this was initiated by our large customers. This can fluctuate by several thousand dollars for those customers. They can have electric bills of \$300-\$400,000 per month. The PCA is a tool that can be used to help control some of that cost. We can't

control capacity, transmission, price of fuel, etc. This is an area we can. They have reached out to us stating it is difficult to budget and asked if they can go to a 6-month rolling average. Mr. Foxhoven said prior to 2016 it was a 1-month rolling average. In 2016, Courtney & Associates recommended we go to a 3-month rolling average which would help, and it did. Mr. Courtney has indicated this will help the larger customers in their budgeting. He also pointed out this will not have any negative impact on commercial or residential customers. Mr. Harris also noted that at the end of the year, they pay the same amount. Mr. Foxhoven said the cash flow will be a little slower for us, but we will be able to meet all revenue requirements.

The ordinance will be back for a second reading.

Resolution No. 2022-09 was presented to Council for a first reading.

RESOLUTION NO. 2022-09 – An Emergency Resolution Authorizing the Director of Public Service and Safety to Donate a Used Ambulance to the Auglaize County Sheriff's Office

Moved by Mr. Christman, seconded by Ms. Willoughby, to read Resolution No. 2022-09. Motion passed unanimously.

Mr. Foxhoven introduced Lieutenant Doug Burke, attending on behalf of Auglaize County Sheriff Vorhees. Police Sergeant Brian Christopher and Fire Chief Doug Ayers were also in attendance for this. Mr. Foxhoven said we all work together. This vehicle would be used by the Sheriff's Office for hostage negotiations. We have three ambulances and this resolution will allow us to donate the ambulance we no longer have a use for to the Sheriff's Office. Our Police Officers and Firefighters train with them. This vehicle would remain in the area still offering services to our community if needed. We thought about putting the vehicle on GovDeals and the Sheriff's Office approached us. We think it is a good idea. They do have some funds available, but would like to use those for modifications that would need to take place to this vehicle. Mr. Foxhoven said we are requesting Council allow the transfer of ownership of this van to the Sheriff's office to be repurposed as an emergency vehicle for their hostage negotiations team. He said there is a lot of work to do and modifications that need to be done; therefore, requested this be passed under suspension of the rules.

Moved by Mr. Bulp, seconded by Mr. Christman, to suspend the rules for Resolution No. 2022-09. Motion passed unanimously.

Moved by Mr. Uhlenhake, seconded by Ms. Randolph, to pass Resolution No. 2022-09 as an emergency. Motion passed unanimously.

Lieutenant Burke thanked Mr. Foxhoven and Chief Ayers for their help. Lieutenant Burke said he is the Commander of the Special Response Team (SWAT). Their current vehicle was donated by St. Johns EMS in 2004 and has a lot of wear and tear on it. He said this vehicle will be a huge asset to our office. All of the tactical medics on our team are from the St. Marys Fire Department. This speaks volumes for St. Marys and what Chief Ayers has done. Lieutenant Burke thanked Council for approving the donation of this vehicle.

MISCELLANEOUS BUSINESS:

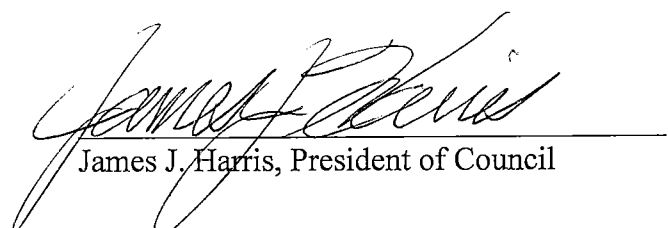
A Water/Wastewater Committee meeting was scheduled for April 18, 2022, at 5:15 p.m.

Moved by Mr. Christman, seconded by Ms. Randolph, to excuse Mr. Fleagle. Motion passed unanimously.

Moved by Mr. Bulp, seconded by Mr. Uhlenhake, to adjourn the meeting. Motion passed unanimously.

Council adjourned at 7:42 p.m.


Debra Kable, Clerk of Council


James J. Harris, President of Council