

On Tuesday, September 14 2021 at 6:00pm Mayor Fries-Seip opened the Council meeting in the MMC Council Chambers with a word of prayer, and the Pledge of Allegiance to the flag was recited by those present.

The regular meeting of the Council for the Village of Monroeville was then called to order.

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| Present at roll call: | Bob Whitacre | And: | Melissa Fries-Seip, Mayor |
| | Craig Franklin | | Bonnie Beck, Fiscal Officer |
| | Chris Raftery | | Tom Gray, Administrator |
| | Sue Rogers | | Jim Barney, Solicitor |
| | Sam Wiley | | |
| | Mark Rupp | | |

Also attending: Kurt Leber, John Smith, and Chief Gary Lyons.

The August financial reports were previously distributed to Council via email. The financial reports consist of all bank reconciliations, all bank statements, outstanding check reports, MTD Fund report, and budget-to-revenue documents.

APPROVAL OF AGENDA

The Mayor reminded Council of the addition of Resolution 2021-33 for the body cam application, and asked for a motion to approve the agenda as amended. Sam Wiley made a motion, seconded by Mark Rupp, to approve the agenda as amended. Motion carried with no discussion.

DISPOSITION OF MINUTES

Craig Franklin made a motion, seconded by Sam Wiley, to approve the minutes of the August 10, 2021 regular meeting and the August 24, 2021 special Council meeting as presented. Motion carried with no discussion.

APPROVAL OF AUGUST FINANCIAL REPORTS

Sue Rogers made a motion, seconded by Chris Raftery, to approve the August 2021 financial reports as presented. Motion carried with no discussion.

APPROVAL OF MONTHLY CREDIT CARD REPORTS

Chris Raftery made a motion, seconded by Sue Rogers, to approve the August monthly credit card reports as presented. Motion carried with no discussion.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS COUNCIL

Kurt Leber informed Council that since the last meeting he met with two representatives from the solar company, Burton Jackson and Dave Cohen, who he thinks is Mr. Jackson's boss, and somebody from Auglaize Outdoor Services who applied the herbicides back there (at the reservoir). They gave Mr. Leber their spray records that he had asked for. They drove around and looked at some of the damage. The meeting wasn't overly productive on his side of things. He got the impression that Mr. Cohen was fairly stand-offish about the whole situation and he didn't seem like there was much of an issue back there, or that it was their problem. He thinks that he was meeting with Kirk Scheid later that day, and they would meet back up later. Mr. Leber told him that he wanted to look over the spray records. Mr. Leber distributed copies of an email he had sent to Dave Cohen. Mr. Leber said he didn't know how familiar Council was with this type of stuff, but commercial labels for spray records are a little different than ag, and so some of the names didn't make any sense to him. They used Espande, Opensite and Imazapyr, and a chemical similar to Roundup. He wasn't too concerned about the latter, but he looked up the labels on the other three. Referring to the email copy, he said he found some issues with what they had done. He said it makes sense considering the type of damage that was done back there, and he reiterated that at the last meeting he said he thought there was something through the ground water that made the crops that way. Mr. Leber stated that some of these things can be found in the Ground Water Advisory and the Surface Water Advisory, but one of the first things on the Espande label is a warning that it will leach into the ground. The big issue with the Opensite application is that it was way over applied. The label states there should be no more than 3.3 oz per acre applied during a growing season, but their own spray record shows a mixture of 5 oz per acre was applied. Mr. Leber said he doesn't know how it was applied, he assumed it was with a wand, but there's a really good chance there was an over application mainly from applying it with a wand. The way he understands it, Imazapyr is used more for railroad beds or areas where you don't want anything to grow. The label states right off the bat that it shouldn't be used in soils above 5.0 pH. Mr. Leber said that neutral is 7 pH and that's where most ag fields try to be. He had soil samples done back in 2014 or 2015 from the solar field area, and it showed that the pH was close to 5, and he threw lime on it. So he knows that it's well above 5, and the soil samples from his fields next to it are in the 7 range. So this is a U.C. Davls citation and this is what it does – it gets in the roots and translocates through them. It states that "care should be taken in applying it around non-target species,

as it is readily absorbed through foliage and roots, and therefore, could be injurious by drift, runoff, or leaching from the roots of treated plants.” Mr. Leber thinks this is another issue. He noted that he sent the email to Mr. Cohen on August 25th and has not yet received a response. He did get a text message last Wednesday night from Virgil Jackson, who told him that they had received approval to do whatever their plan was, and that he was going to have Kirk Scheid do it as soon as possible. Mr. Leber said he responded his thanks to him, but he feels Council needs to approve any land forming back there before it would go on. He stated that this was his opinion. He would say that if anyone was renting a house to somebody and the renter wanted to take out a wall, the property owner would want to know first. Mr. Leber said he had conversation the Sunday before that with Kirk Scheid because he hadn’t heard anything. He asked Kirk about his meeting with Virgil, and basically what they were pushing was just to put in a diversion ditch. Kirk told him that his concern with that was that there was not enough fall to make it work to get over to the catch basins because it’s only about a foot, total. For a diversion ditch that’s just not going to do it because it’s just going to hold water and stay wet and still leach into the ground. Kirk told him that he was 100% right about that, but he has thrown 5 or 6 quotes at them over the last 2-3 years, and they don’t want to spend any money to fix it right. Mr. Leber said his point was that they “cheaped out” on the front side which caused the problem, and it’s going to cost them money somewhere to do it right. Kirk told him, and he told Mr. Leber it was ok to tell Council, that all they want him to do is put in a diversion ditch, and that’s it. Kirk doesn’t think that was going to fix the problem, but he’s just the contractor. Mr. Leber stated that he thinks he and Kirk are on the same page about what would fix the problem, but the solar company is not really interested in working with them in that aspect. Kirk also made a comment, which Mr. Leber thought was kind of strange, but apparently there’s an opinion coming from a representative from the Village that it’s not a big deal and it’s not a problem that’s been addressed. Mr. Leber thinks that’s where the solar people have been emboldened a little bit to not take care of the problem. He did send Mr. Cohen a list of damages, which is probably why he hasn’t received a response from him because Mr. Leber sees it that’s he’s a money guy and doesn’t want to spend it. Mr. Leber said he has a farm back there that he’s trying to pay for, and if he’s losing a portion of production back there every year that he has to fight through, not to mention the damages being done to his soil structure and tile, he can’t accept that. So at this point what he would like to ask from Council is to become involved in the process and explore what the options are for taking action. He would be willing to come back for a work session or something else to go over things, and maybe have Kirk come in, too, to talk about the project. Mr. Leber said he knows he’s not a Village resident so maybe he shouldn’t even care, but he is part of this community and he wants to see this done right for number one, the Village’s sake, and number two, for his own sake, and he knows he’s being a little selfish there. Mr. Leber said that right now this isn’t costing the Village anything to hold their tenant accountable and make them do what’s right to fix the problem that’s been created. He said he doesn’t really want to get involved any further than this, and because we’re a small community he wants to have it handled between him and Council. But if it’s not fixed right or if they don’t take care of what they’ve caused damage to and he has to take it further, there’s no way the Village is not going to become involved in it. That’s just the reality of it, he noted. He’s hoping that everyone can come to a solution that’s agreeable with everybody, and he really thinks that Council should be involved and be part of that process. He would like to be part of that process and he hopes there can be a resolution that everybody is on board with. Mr. Leber asked if anyone had any questions, and Chris Rafferty asked what he was looking for as compensation. Mr. Leber said he would rather not put that out in open session, but he said it’s not a lot, and it’s nothing that shouldn’t be reasonable. He’s trying to be fair to everybody, as he doesn’t want to kill his own project while being fair to himself, too. There have been losses back there, and there will be more realized losses this year. Bob Whitacre said this email addresses over application of this stuff, but it doesn’t really say anything about solving the problem or how much of the problem is over application versus the land itself. Mr. Leber said the over application is an issue that’s been made larger because of the saturation back there and the amount of water that’s moving. The last two years before this year there has been water damage back there, but what really make him think about it was seeing the cuppage of the leaves as a different type of damage this year, which is why he asked for the spray records. If they are going to keep up that program it’s going to happen again. Bob asked for Mr. Leber’s opinion on what they’ve offered to do for him versus what Kirk Scheid suggested. Mr. Leber said that what Kirk had originally proposed was to run a string of tile or two on the Village side of the fence, and since there’s not a lot of room there, to also come on his side of the fence with one string to catch any remaining, and run that into the catch basin, and there would be plenty of fall to do that. Then also do a little bit of land forming to keep the water from rushing over so it can catch the water. What you’re doing basically is lowering your water table, so if you put the tile at three feet, eventually you will have three feet of drop above that. What that does is it increases the water capacity of the land, so if it rains it can absorb more water. If you have tile at two feet, then it’s two feet of absorption. Right now they’ve got saturation back there in tight soil, and there’s no where for it to go, it just runs off. So to Bob’s point, and from the last meeting, they’re channeling all this water into one spot, and there’s not as much surface area to absorb the water because of the solar panels. It’s just an issue that we need to deal with. He said he doesn’t know what the difference is in price that Kirk has thrown out to them to put tile lines in on top of the land forming, but he would think if that would happen he doesn’t know what else we can do. He would be satisfied with that, as it’s a solution he would agree with, but he thinks that just going back there and putting in a small ditch is a waste of time and money for everybody and it’s not going to fix the problem. Mr. Leber said his phone number is on the email copy if

anyone had any questions for him, and he would be more than willing to organize something if Council wants to look into this further. He would appreciate any type of help he could get with this. He said it's one thing if Kirk goes back there and puts the ditch in there, we can still go back and fix it after the fact, but again, it's time and money and energy wasted doing it twice. We might as well do it right the first time. Mr. Leber said he appreciates Council's time, and thanked them for allowing him time to speak. After Mr. Leber left the meeting, Tom Gray offered the comment that part of what Mr. Leber said is correct, and part is incorrect. His conversation with Solar Planet was in this format: prior to anything being done, prior to any work commencing, they will submit to us a plan and profile of what is to be graded. An alternate is to what is to be tiled, and we in turn will submit it to our civil engineer, PDG, to ensure that any solution that's brought forward will remedy the problem. That's it in a nutshell. Part two, we can't tile outside of our property. He said Mr. Leber ran this all over the place by foot and mouth over the last couple weeks. Kirk Scheid is a contractor, he's not a civil engineer. The drainage system that is on site, as Council may recall, was enhanced probably two years ago before the solar field was built to further process water that was running off his field onto our property. Water was getting as far as the base of the dike in the dam of the reservoir, which was causing ODNR and Poggemeyer to have concerns as to stability. We, in turn, enhanced our property by including an under-drainage layer into the system. It worked out for us that piping is available and it can continue to receive water from our inside of the fence, but it can't take water from the outside, as it's not the way the system works. You don't transmit water from someone else's property onto your own and dispose of it. We're not obligated for that, and Jim (Barney) can attest to that as they've had conversation about this. Tom said we'll continue to be above board, and we'll continue to work on this. David (Cohen) is the business man, and Tom doesn't doubt that he came off probably not the way Kurt expected. But David has the dollars and cents that he has to justify up the chain. Tom said that nowhere along the way has he been told that they won't correct this. The spray situation is a subpart to this. We knew they were spraying, as this is part of what they do at all of their other solar fields. Tom said we'll work through this. It's not as bleak as what Mr. Leber might portray. Mr. Leber admitted the last time he was here that he has a field tile system that's substandard and we kept that in our records. Tom said we'll continue to do what's best and will continue to follow the right protocol and make sure we get this accomplished. Bob said Tom mentioned that the solar people had a remedy that they wanted Mr. Leber to perform, or did it not get to that point. Tom said it's called putting in a swale, which would take care of the surface water, keeping it on the surface and flowing it over toward the basins that are on the solar field/reservoir side. That hasn't been done. Bob asked where we were with that. Tom said no permission has been granted for anything yet. He reiterated that before a shovel is turned, Solar Planet has to submit a design, and that can be swale, piping, or a combination of both, and that is what he expects to see. Tom said yes, we would go along with a solution, but that solution has to be presented and evaluated yet. The Mayor asked if the contractor was aware of this, and Tom said he knows, and we will continue to progress and do the best we can. Bob asked when the engineer will be involved. Tom replied that as soon as we see a proposal from Solar Planet it will be submitted to Neal at PDG, and then we'll have to determine what is best. Tom said that Solar Planet has an engineering team that would look at this. Mark asked if we have a date when this will come back to us. Tom said he's not certain as to what that time frame is. He spoke with Virgil last week when he was here to do some maintenance, and he said they are working on it. Bob said this must have been going on for a while. Tom said that rolling the clock back, and he's not certain Council was aware of this, but when we first put the solar field in, and Jim was engaged with this, Mr. Leber wanted several hundred dollars for damages due to the fact that he wasn't going to be able to farm inside of the fence at the solar field. Tom said he didn't farm, he cut grass and harvested a little bit of hay. But that agreement (to use farmland) expired 10 years ago. So actually he was trespassing, but we won't go there. There's a cause and effect relationship all across the board. He said Mr. Leber harbors ill will because initially we didn't discuss the solar field with him. Tom then said he would be glad to answer any questions about his report.

John Smith introduced himself, stating that he lived at 30 Clock Lane. He stated that last Tuesday he was trying to get to his place and the driveway was blocked with the sewer jet truck. He was wondering why the Village couldn't inform people that they are going to do routine maintenance and let people know they're going to be blocked from their driveway. The Mayor asked if was blocked for a long period, and John said that it was an hour or so. Mr. Smith said that most cities send letters or go door-to-door delivering letters to say their driveways would be blocked or they can't use their driveways. The Mayor said she knows we do routine maintenance on sewers and flushing hydrants, and things like that are announced. She said she doesn't know if they can specifically say that each driveway is going to be blocked for an amount of time. Tom stated that after he and Mr. Smith spoke previously he checked into it, and in the case of the jetting that took place in Mr. Smith's area it was routine maintenance, but it was random in the area that was chosen. The fact that it was a random choice as to where to start it what he hears Mr. Smith talking about. Mr. Smith asked what he meant by random. Tom said the employee was doing the entire area, but he chose to start right there. Mr. Smith questioned why they didn't start at the low end, and Tom said it didn't matter where they started. Mr. Smith continued that back in April he had a sign stolen that was on the Village's power pole, but Tom took the sign. He doesn't know if Tom took it personally, but the sign was removed. Tom could have thrown it in the lawn and Mr. Smith would have known not to put a sign on that pole. Mr. Smith said Mr. Kimball returned the second sign he put up that

day. Mr. Smith said he asked him if he knew anything about the other sign he had on the pole, and he said yes, the Village had taken it. Mr. Smith said he thought it was stolen. The sign was returned by Mr. Kimball in June. Mr. Smith continued that in 2018 Tom had a tree company, Leimeister, come on to his property and cut a tree. The Mayor said we have tree trimming if its affecting a utility line. Mr. Smith said they dropped the tree, and actually it was a double tree and they took the one that was on the down river side. The one closest to the electrical pole is still standing. Mr. Smith said that if it's so important why didn't they come to him and tell him that they had to take the tree down because it was an issue. If they had come to talk to him beforehand it would have been no problem. Mr. Smith said that Tom seems to think he can go anywhere without telling anybody anything. The Mayor confirmed that this happened in 2018 and it was for utility purposes. Mr. Smith said he had words with Tom, and he thinks Tom still has issues with it. Mr. Smith asked why they didn't take down the other tree, and the Mayor said if it wasn't affecting the utility line it didn't need to come down. Mr. Smith said the other one is closer to the line, so why wasn't that one taken down. Tom said it was because Mr. Smith stopped them. Facing Tom, Mr. Smith said Tom could have explained himself or contacted him to let him know. The Mayor reminded Mr. Smith that during the Council meeting he needs to be addressing Council. She stated that she would encourage Mr. Smith that if something happens don't wait three years to let Council know that there's a concern. If Council is made aware they can try to rectify the situation. Mr. Smith said he's lived in Monroeville all his life and things can get shaken up, but when it starts to repeat there's something going on. The Mayor thanked Mr. Smith for bringing these things to Council's attention, and if he has further concerns to please let Council know. Mr. Smith said he talked to Tom, and it took them two months to clean it up. All they would have had to do was clean it up (the tree debris), but Tom just kind of rubs salt in the old wound by dragging it out. Mr. Smith said the tree wasn't in the right-of-way, and he knows where that is because of the bridge work that was done. But Tom chose the let Leimeister literally track a little machine on his cable that he has across the lane to keep people out because he used to get people driving in the field. They literally broke one of the two locks, which was replaced. The Mayor confirmed that Mr. Smith got his signs back. Mr. Smith said now he knows not to post signs on the poles, but pointed out that there's a stop sign on a utility pole that's on the left side of the road. If someone ran that stop sign he thinks the Village would be responsible because it's on the wrong side of the road. The Mayor thanked Mr. Smith for expressing his concerns, and added that Tom does a great job of keeping the Village running smoothly, including having to do routine maintenance and tree trimming for line clearance. She apologized that the issues weren't handled the way he thought they should have been. Mr. Smith said he just thinks we should notify people if they're going to be blocked from their driveway, and we should stay in our right-of-way. He said there has to be somebody to oversee Tom, and he says it's Council.

ADMINISTRATIVE REPORTS

ADMINISTRATOR – Tom said he would be glad to answer any questions regarding his report. He stated that there needs to be a lightning rod, and he's been one all his life, and that's fine. He asked Jim Barney to share with Council the highlights of the meeting they had with the Huron County Public Health District, Poggemeyer Design Group, and Huron County Engineer Lee Tansey concerning the formation of a wastewater district in the county. He reminded Council of the dialogue in which interest was expressed to extend sanitary sewer lines to 38 homes on Rt 99 south of the corporation limits. We started the ball rolling, and it's still developing to roll. We have a possible passageway in which to pursue not only this endeavor, but to involve the Holiday Lakes folks, too. This hinges on a lot of legalese, but we've taken the first couple steps. The goal is to allow us to take the gray water, process it for a fee, and enhance the revenue stream of our wastewater district with minimal impact on our financial standing. Jim stated that Tom got these people together with the initial goal to extend Monroeville's service area to 38 homes whose owners currently have septic systems. Jim stated that Jack Jones, from PDG, has been around for a long time, and he's really knowledgeable. What we initially thought we were going to have to do was to have the township and the county form a small sewer district, which seemed like not a hurdle but a wall. Given the township's position on most things in the county, they learned from people who were there that the township is not interested in sewer districts whatsoever. But Jack Jones told them about ORC Section 6119, where a sewer district is created by the county, who appoints a board. Everything would be up to the board, so any issue the county perceives that it has, it wouldn't have, and the county wouldn't be responsible for costs, and it wouldn't have any liabilities. It's more complicated to form and it would take time, but when they left the meeting everyone was pretty excited about that possibility. We're going to have to treat wastewater in the rural areas of the county in the future, and a lot of rural areas aren't necessarily going to be all that excited, which is another reason why those politicians might not want to be making those decisions. We have to work this through the Huron County Prosecutor's Office, but we'll keep touching bases and see if we can keep shoving this forward a little bit. He thinks it will be a good thing if we can do these little projects within this big district if the district area where there's actually sewage facilities. As that grows the district grows and the board will have more funds, and they can do special assessments as they would have all these governmental privileges. Jim said he thinks it's a great idea. Bob said funding is always a big issue, so where would the funds come from for this. Jim said that's how this popped up, because the county and the township have millions of dollars that they have to spend on infrastructure, not roads. This county and this township have no infrastructure that they can spend it on. So theoretically there's a couple million dollars to get this thing rolling. Jim said he doesn't know if we can get it done that quickly, but financing is always the problem. Property owners can

be assessed, and the board would have the right to pass a levy that could raise hundreds of thousands of dollars to get started, then can collect fees. The Mayor asked if this would be like rural water, where the homeowner could tap into the service line for a fee. Jim said sewage is a little different. With water one would have a choice, but with sewage, not so much as the Health Department or the district can require one to tap in. The standards for a septic system have changed dramatically over the past 5-10 years. So with septic systems being non-conforming if they don't pass inspection, they would have to be replaced rather than repaired, which would be a \$20-30 thousand project. It would be far less expensive to be part of a sewer district and pay monthly fees. Bob asked if our wastewater treatment plant could handle the additional 38 homes, and he was told it could. The bigger picture is that we wouldn't be getting all of the gray water, as Norwalk and Willard would get some, too. As this expands, maybe the district would have to build a plant. Sam asked where these homes were, and he was informed that they're from the corporation limits on Rt 99 South to Everingin Rd. Tom said those 38 homes all have potentially substandard septic systems and are potentially polluting to the Huron River. Holiday Lakes, which has 600 homes, is just dumping into the Huron River, which streams our way. Chris asked if the EPA would be involved, and Tom said eventually they would. Jim said the problem with the EPA is that they don't care until they do, then it's too late. That's one of the advantages we would have with the Commissioners, because that's going to fall right on them. Craig asked about the unfinished work at the River Rd bridge. Tom said they've gotten behind the curve and there's no excuse, but they have it in queue now. Craig said he knows we have some new businesses downtown, and he asked about the status of the sidewalks. Tom said we should have a proposal this week yet for the engineering services. Once that's here it will be given to Bonnie to be brought before Council for funding the design and engineering. One of the underlying challenges there is we were forced to wait until the Rt 20 resurfacing project was completed. The issue is the elevation change and how the ramps are accommodated or accomplished for installation for handicap purposes. This will be the biggest expense. Bob asked if anyone was going to fix the bumps on Chapel Street in the low areas. Tom said there's a plan in place to do that. The contractor who did work on Chapel Street has a deposit with us, and he's asked that we make the repairs and charge the costs against his deposit. Hot mix will be used, and some other spots will be fixed as well. **POLICE** - The Chief stated that Council may not know this, but there's an extensive incident history in the particular area of Clock Lane so there's a lot more to the story. Council was made aware of where this area is, and Bob asked where the tree was located. Tom said it was a danger tree that was laying out over the three-phase line at the River Rd. bridge, and it was in the right-of-way. The part of the tree that was not cut is not affecting the three-phase line and wasn't going to impact the service. Tom added that it's scheduled to be trimmed again. The Chief noted that with the re-opening of Rt 20 and the extra staff for a few weekends it made quite a difference in the August stats. He anticipates more enforcement activity as we go into this month. Right now we're tentatively scheduled to have our first Gatsco hearing at the Municipal Court on October 14th. That one will probably be the most challenging because certification of the devices will have to be presented to the Judge. Once that's in place further proceedings will go more smoothly. The Chief reminded Council that we lost one of our part-time officers, and recently he was notified by another part-time officer, Derek Henderson, that he would be unavailable for a couple months due to training for his full-time job. The Chief had no takers on his notice for employment, and he knows we're not alone on this. Nobody wants to be a police officer, and those that do are looking for the best pay. Everyone qualified yesterday for firearms qualifications, where they used the new rifles. The event was held at Izaak Walton's. Chris asked if there was going to be overtime with the staff challenge, and the Chief said he was hoping not to use any overtime. Right now the schedule shows no overtime if everything goes right. There's some critical incident training for Officers Eggleston and Hanuscin, which deals with mentally challenged people or those with communication problems. It's a free program, all we have to do is attend. Mark asked if there was more of a police presence in the school zone. The Chief said there was every day, and the dragon camera was being used in that area. Mark said it was disturbing news to hear of kids being snatched from school areas, so it's good to know we're there. Mark asked about St. Joe's request for a one-way street on Chapel, and Tom said it was still in process. Ken Schafer is spearheading that. Sue asked about the narcotics activity that was on the monthly report. The Chief said some of that was officer initiated and was part of the extra staffing, which resulted in 7 drug arrests.

FISCAL OFFICER - Bonnie asked if Council wanted to re-visit the Juneteenth holiday for this year. The Mayor said this can be discussed at a work session. It was suggested taking the day after Thanksgiving this year for the Juneteenth holiday. Bonnie was asked about a floating holiday, and she replied that this would be the most difficult way to do it for the PD with their staff issues and required coverage. Mark suggested that we sit on this for a month to see if the Feds pass the new proposed voting rights bill that would make Election Day a federal holiday. Discussion. Council agreed. Bonnie asked Council to let her or the office ladies know of anyone who may be interested in serving on the BZA. There are currently 2 seats open, with the recent passing of Len DeCarmine and Ron Graham. Bonnie said it's a difficult position to fill, since they only meet as needed. Ken Honingford, Ken Bischoff, and Mike Raftery are the current members of a 5-member board. Jim said he works with some villages where they have the BZA and Planning Commission have the same members. Since he's been with us it has been an ongoing struggle to keep BZA members. The Mayor asked if the BZA did the appeal process for the Planning Commission. Bonnie said they are a quasi judicial group. Jim said the Planning Commission shouldn't make any decisions that are appealable. The Planning Commissions sets the rules, the Zoning Inspector enforces

the rules, and if you don't like how they're enforced then you go to the BZA. The Mayor asked if it's the same people who sets the rules, is that giving that person who appeals a fair shake? Chris stated that the Planning Commission is more knowledgeable at that point. Jim said he's never had any problems with that. Jim said you could appoint a couple members of the Planning Commission to the BZA, and through attrition you can just keep doing that. Chris said the PC has four members currently, herself included, so would they increase that to 6 members? Jim said you could appoint two members of the PC to be on the BZA, and one member of the current BZA to be on the PC, then there would be an overlap of three people. The Mayor said we need to talk about this, but as long as Jim doesn't see any conflict there they can consider it. Jim said there shouldn't be a conflict, but we're a little goofy because our PC has way more power than most PC's have. The Mayor used an example that someone has a fence complaint and they come to the PC who says they can't do this. Jim asked why would they come to the PC? Bonnie said if they want a permit and Dave denies it and they still want to move forward with it, then they appeal it to the BZA. The Mayor said then Dave is enforcing what the PC has already decided. Bonnie noted that Dave is actually enforcing the zoning ordinance. Jim clarified that the PC suggests the rules to Council, who sets the rules by ordinance. The PC doesn't have any authority to make a rule, Jim stated. Bonnie concluded her report by informing Council that the 2020 audit will start the week of the 27th. **MAYOR** Mayor Fries-Seip asked that the flags could stay up until after the Purple Hearts event. She then asked if employees were comfortable about the masks. Bonnie said that most of their customers are coming through the drive through now, and with the glass partition and fewer customer traffic they feel comfortable. Tom said the other departments are still limiting people in the plants, and vendors are now emailing messages. The Mayor asked everyone to get the word out about the Purple Hearts event. She'll be doing another newspaper article, and the Legion said we could use their facility in case of bad weather. She asked that everyone be commended for another great newsletter, noting that volunteers helped with folding and labeling this edition. She said she attended the 911 remembrance ceremony in Norwalk and met the newest Commissioner, Harry Brady, who had nothing but good things to say about Tom Gray. She invited Mr. Brady to come visit the MMC. The Mayor then read aloud the Purple Hearts proclamation.

BOARD/COMMITTEE REPORTS

Bob reported that the **HRJFD** met on September 8th. There were 8 calls in August. They are still working on getting a new pumper. A sales rep will be visiting them in October.

Chris reported that the **Planning Commission** held a public hearing on September 7th at 7:00pm. Planning Commission members were in attendance, as well as Tom Gray, Dave Mahl, Bob Whitacre, Ken Schafer, and Mr. and Mrs. James Ehrman. The public hearing is a way for people to express concerns regarding certain issues, Chris noted. This meeting was specifically for the combination of 2 lots on Eagle View Dr. and the formalities needed for that to happen. Everything went well. The PC then met separately and voted to approve the combination of the 2 lots that will never be able to be sold separately and will be recorded as such. Jim explained that in a subdivision a house and auxiliary building cannot be built on separate lots. The PC could have said no to the request to do that, but the sale would have fallen through. It would have been too complicated to have the lots re-platted. The PC determined they could allow a combination of the two lots with terms established in an affidavit, which will be officially recorded at the County Recorder's Office once signed. Legally, it is not a combined lot. The lots have been purchased and transferred already. Discussion about gross square footage on a property. Jim said the PC will be addressing this matter to see if they might want to restrict this definition a little bit.

ORDINANCES/RESOLUTIONS FOR FIRST READING

BODY ARMOR GRANT

RES 2021-33 *A Resolution authorizing the preparation and submission of an application for funding assistance from the Ohio Bureau of Workers' Compensation for the purchase of body armor vests for Monroeville Police Department Officers* was presented for first reading. No discussion.

ORDINANCES/RESOLUTIONS FOR SECOND READING

4-WAY STOP INTERSECTIONS

ORDINANCE 2021-19 *An Ordinance creating four-way stops at the intersections of Hollister Street and Brown Street, Chapel Street and Baker Street, and the intersection of Broad Street and Chapel Street in the Village of Monroeville, Ohio* was presented for second reading. Bob asked where we were with this. The Mayor said it's at second reading, so at the next meeting it would be up to Council to pass it or make no motion on it. Bonnie reminded Council that passing legislation in three readings means it's not effective for 30 days after passage. Bob said he doesn't know what anyone else thinks, but he's not convinced it's the best thing to do. Sam said he's mixed on it was well. Bob said he doesn't mind the idea of 4-way stop signs at Broad and Chapel by the school, he thinks that's a good idea. But he's not sure with the short streets having stop signs in the middle of them. Sam asked if this was the intent so we don't have people trying to shortcut the light. The Mayor asked if it was noticed that this was still happening now that the Rt 20 construction is done. The Chief said he hasn't noticed it personally, and they haven't received any complaints, so he's not sure if it's something that they're not seeing yet or if there might be other complaints coming in. He said he's have to kind of wait and see on that one, but we do have some time so maybe he can get some data for Council. Mark asked if we could amend the Ordinance on third reading. Jim said no. You can amend it if it's not substantial, and taking out two intersections would be substantial

so it would have to go through the required three readings. The Mayor asked if at the next meeting that's the desire, does Council need to fail to make a motion on it, or do they vote it down? Jim said it would be cleaner to make a motion and just vote no. Tom asked if the ordinance is passed as stated can we defer placement of the stop signs, or at that point do we have to place the stop signs? Jim said if we don't put the stop signs up we can't enforce the ordinance. He added that he's a proponent of enforcing the ordinance we have, so if we don't like the ordinance than don't pass it. Discussion. Jim said he's totally in favor of passing an ordinance we like and enforcing that ordinance then we don't have to play the "what if's". Mark asked that since this is second reading can they stop it now or does it have to go through three readings. Jim said it has to go through three readings, but he can prepare an ordinance for just Broad and Chapel and Council can do a first reading on that at the next meeting. The Mayor asked for the Chief's input because of safety, but if it's not an issue because of construction being done, that's another thing. The Chief said that part of it was related to the construction, but part of it was an ongoing issue where motorists would cut across to avoid the traffic light, mostly on Baker and Chapel Streets, and a little bit on Brown St. Going into the future, if we cut off access by St. Joe's school and the church, that kind of takes care of that problem. It was driven by complaints and observations that they saw of people trying to get to Berry's or some other place in the village. It's very difficult to enforce a speed violation just because of the logistics. It's much easier to enforce a stop sign violation, and the intent was to slow people down. The Mayor commented about the risks with the change, as there will be those who don't pay attention to it. The Chief said that's what happened at the Broad St railroad crossing, and a lot of warnings would be issued until people get used to it. The Mayor suggested that we present the amended ordinance at the next meeting for first reading, and asked everyone to drive those streets and get a feel for what they want to do. The Chief suggested driving in those area during the high traffic times, like 6:30am, or noon, or 3pm when school is letting out. Bob confirmed that this started as a complaint from a resident. The Chief said it was about the speed and they were going so fast that the complainant thought that if there were children out there playing it could cause an accident because they couldn't stop in time. He said the department also received complaints about motorists buzzing through there so fast. Bonnie said she wanted to throw in that she lived on brown St for 31 years and always thought it was a quiet street. She said there were times when someone would use the street as a speedway, but she typically left for work between 7-7:30am and there was never any traffic on the street. She said she spent a lot of time outside in the evenings and didn't see many speeders. The Chief said one of the complaints was from a Brown St. resident.

ORDINANCES/RESOLUTIONS FOR THIRD READING

ONE WAY WILLIAMS STREET

ORDINANCE 2021-16 *An Ordinance changing Williams Street to a one-way Street* was presented for third and final reading. Chris Raftery made a motion, seconded by Mark Rupp, to pass Ordinance 2021-16 on third reading by title only. Discussion about the change and the safety of pedestrians. Motion carried.

Mayor Fries-Seip asked for a motion to the suspend the rules for the following legislation. Sam Wiley made the motion, seconded by Sue Rogers. Motion carried with no discussion.

ORDINANCE 2021-21

AMEND AND SUPPLEMENT

An Ordinance amending or supplementing certain funds for Appropriation Ordinance 2021-06, and declaring an emergency was presented for passage. Sam Wiley made a motion, seconded by Chris Raftery, to pass Ordinance 2021-21 by title only. Motion carried with no discussion.

RESOLUTION 2021-32

ACCEPT COUNTY AMOUNTS AND RATES

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 was presented for adoption. Sue Rogers made a motion, seconded by Chris Raftery, to adopt Resolution 2021-32 by title only. Motion carried with no discussion.

RESOLUTION 2021-34

BODY -WORN CAMERA GRANT

A Resolution authorizing the Chief of Police to make application for financial assistance in the form of a grant from the Office Criminal Justice Services for the purchase of body-worn cameras and other related expenses, and declaring an emergency was presented for adoption. Sam Wiley made a motion, second by Craig Franklin, to adopt Resolution 2021-34 by title only. Motion carried with no discussion.

APPROVAL OF BILL SUMMARY

Mark Rupp made a motion, seconded by Sue Rogers, to approve the bill summary as presented, that summary was presented as memo expenses and check #043425 to #043516 for a total of \$625,688.38. Bob asked about the \$11,000 Main Lite payment, and Bonnie explained that it was services for an accident, and was made part of the invoice for reimbursements to the person who hit the utility pole.

COUNCIL BUSINESS

The Mayor reminded everyone of goodies for the Purple Hearts event, noting that she has been telling everyone to bring their goodies to the Administrative Offices between 9am and 3pm on the 28th. All goodies should be individually wrapped.

ADJOURNMENT

There being no further business to discuss, Sue Rogers made a motion, seconded by Sam Wiley, to adjourn. Motion carried with no discussion. The meeting adjourned at 7:41pm.

Bonnie Beck, MMC, Fiscal Officer

Melissa M. Fries-Seip, Mayor

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