

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

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

Present at roll call:	Chris Raftery Sue Rogers Bob Whitacre Craig Franklin Sam Wiley	and:	Melissa Fries-Seip, Mayor Bonnie Beck, Fiscal Officer Heather Alicea, Admin. Specialist Tom Gray, Village Administrator Jim Barney, Solicitor
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Also attending: Lieutenant Troy Kimball, Joseph & Alysha Galea, Alex Carper, Pat Whitacre, Tony Whitacre, Dale Whitacre and Olivia Whitacre.

The November financial reports and bank reconciliations were previously distributed to Council via e-mail.

#### **EXCUSAL OF COUNCIL MEMBER**

Mark Rupp had previously notified the Mayor that he would be unable to attend the meeting. Sam Wiley made a motion to excuse Mark Rupp from the meeting, seconded by Craig Franklin. Motion carried with no discussion.

#### **APPROVAL OF AMENDED AGENDA**

Mayor Fries-Seip asked for Council's approval to amend the agenda to include Oaths of Office. Chris Raftery made a motion, seconded by Sam Wiley, to approve the agenda as amended. Motion carried with no discussion. Joseph Galea was sworn in as a new Council member, to begin his term on 1/1/22. The Mayor administered the Oath of Office to current Council members Bob Whitacre, Chris Raftery and Sam Wiley, to begin their new terms of office effective 1/1/22.

#### **DISPOSITION OF MINUTES**

Sue Rogers made a motion, seconded by Craig Franklin, to approve the minutes as presented from the November 9th, 2021 Council meeting and the November 30<sup>th</sup>, 2021 Special Council meeting. Motion carried with no discussion.

#### **APPROVAL OF FINANCIAL REPORTS**

Sam Wiley made a motion, seconded by Chris Raftery, to approve the November 2021 financial reports as presented. Motion carried with no discussion.

#### **APPROVAL OF THE MONTHLY CREDIT CARD REPORTS**

Sam Wiley made a motion, seconded by Chris Raftery, to approve the November 2021 credit card reports as presented. Motion carried with no discussion.

#### **OPPORTUNITY FOR THE PUBLIC TO ADDRESS COUNCIL**

None.

#### **ADMINISTRATIVE REPORTS**

*Administrator* – Tom Gray presented his report that was in Council's package. He addressed the power outage that occurred in Monroeville and surrounding communities on Monday evening, 12/13/21. The outage was due to a transmission issue with First Energy, the delivery point being in Bellevue. The Village was able to get service back quickly. Bob asked if the entire Village was affected. Tom advised that both substations were affected because they are both tapped from the same transmission lines. Sam asked how Berry Plastics was affected. Tom advised the outage interrupted their processes. Fortunately, the outages are called clean strikes, they weren't fragmented or constantly interrupting services. The Mayor asked how Bellevue was affected. Tom stated that Bellevue had a two thousand customer interruption. Tom shared that for the past few weeks, 7 Eleven has had intermittent fuel interruptions with diesel and gasoline and their ability to service commercial customers. Fortunately, it doesn't affect the Village since our separation from 7 Eleven in 2015 into 2016, as the Village entered into usage of the central filling station. Tom had previously shared with Bonnie and wanted to share with Council that he had reached out to our contact at Sunrise, Pete Mainzer. Pete had said that he is pleased with the relationships and agreements that Sunrise has with their suppliers. Those relationships allow Sunrise to run on an even keel. Tom is pleased that we have Sunrise for fuel. We have eliminated the critical element

of having to purchase fuel from 7 Eleven. The school and fire station also use the central filling station, so it's a win-win. Sam asked if we have underground tanks. Tom responded no, they are above ground, dual-wall tanks that fully comply with regulations. Tom also addressed our part-time electric department employee, Bret Gfell. Previously, Bret was not entitled to the overtime rate of pay for any type of call-out. Tom would like for Bret to be paid time and a half for the call out as well as on-call pay for the period of time that Bret is on call when Alex Carper or Dave Hamons is unavailable. Tom would like Council's approval for Bonnie to modify the language in the policy to allow Bret to receive on-call pay when assigned and to receive the time-and-a-half pay on call-outs. Sam asked if it will create potential issues. Tom advised no; it will bring the Village into compliance with everyone else. Chris Raftery made a motion, seconded by Sam Wiley, to pay Bret time-and-a-half pay for call outs and on-call pay when necessary. However, no vote was taken as it was determined to decide on this matter during the wage ordinance discussion later in the meeting.

**Fiscal Officer** – Bonnie advised that the Sunshine Law Public Records and Open Meeting Laws training is required once per term. Bonnie completes the training regardless as she is required to do so for her continued certification, and she can represent the newly elected officials. Council members may approve a delegate to take the training on their behalf. This has to be done by motion, so Bonnie asked Council to make a motion for her to represent Council members Chris Raftery, Bob Whitacre, Sam Wiley and Joseph Galea, for the Sunshine Law training. If those four Council members wish to take the training, she can provide them with the website information. Joe asked when it would be given. Bonnie advised it's a three-hour online class. Joe said he is fine with Bonnie taking it as his representation. Sam Wiley made a motion, seconded by Sue Rogers, for Bonnie Beck to represent Council in the Sunshine Laws training. Motion carried with no discussion. Bonnie advised she has the renewal information for dental and eye insurance. Per Bonnie's report that was previously distributed to Council, the eye insurance rate was locked in and will expire in January of 2025. The dental insurance went up 5.01%, or \$475.00 annually and that rate will be locked until January of 2024. The dental rate has no impact on the budget. Bonnie asked for a motion to approve the new rate of dental insurance. Sam Wiley made a motion, seconded by Sue Rogers, to approve the new dental insurance rate. Motion carried with no discussion. Bonnie said that should the new wage ordinance pass, she would like to ask Council if a motion can be made to approve advertising for a new water/wastewater employee as of 1/3/22. Don Clark and Wes Brewer have been working significant overtime for the past few months and it would be beneficial for the water/wastewater department to get a fourth employee on board as soon as possible. The Mayor asked if there is a certain amount of time that the job posting has to be in-house first. Bonnie advised it's five days in-house and then an advertisement can be placed. Bonnie thanked Council for providing a listening ear during the work session on November 30<sup>th</sup>, regarding Bonnie's proposal for the wage ordinance. The proposal was for a three dollar an hour increase across the board for all of the non-seasonal hourly employees effective 1/1/22 and to address the remainder of the wage ordinance in January 2022. The proposal would provide stability to not only retain the employees we currently have, but to present a more attractive wage package for new hires. Again, she thanked Council for listening and for their consideration.

**Police** – Speaking for the Monroeville Police Department is Lieutenant Troy Kimball, in absence of Chief Gary Lyons. Troy stated the that only issue Chief Lyons wanted to address were the two policies that were previously brought before Council at last month's work session, in regards to foot and vehicle pursuits. Chris Raftery made a motion, seconded by Craig Franklin, to accept the new policies #426 for foot pursuits and # 307 for vehicle pursuits. Motion carried with no discussion. The Mayor asked Jim if the policies were fine with him and he advised yes, he looked them over and they are good. Jim advised the first hearings were held in regards to Gatso citations. An expert witness from Gatso was brought in to testify. Chief Lyons and Lieutenant Kimball were also there. Jim was disappointed in the judgment, as he expected the judge to approve the cameras and say everything was good to go. Jim advised there is new staff at the court, so there may be another judgement that is floating around that addresses the matters he didn't see on the first entry. The hearings that were held ended positively and the claimants were found liable. There are upcoming hearings in regards to the stationary camera and the dragon camera. There will be experts available for each issue. The Mayor advised that Chief Lyons did make mention to her of his hopes for the part-time and shift differential pay increases. The Mayor asked Council if they want to address it at this time or if they would rather address it during the wage ordinance discussion later in the meeting. Chris advised that Council needs to first address the wage ordinance at tonight's meeting, but it will take some time to discuss the Chief's request in regards to the part-time officer pay increase and the shift differential pay increases. Council would need to lay out a plan for implementation if the change is agreed upon and she believes it would be better to address it in the new year, at a work session. The Mayor asked if everyone is in agreement

with that. Bob asked Chris why there is a need to wait. Chris advised Bob that Council is not prepared to make a decision at this time. Chief Lyons is not here to support the request and Chris thinks Council needs to look at the paperwork they received from Chief, and look at the steps, the shift differential and the various things that Council would need to review for implementation. To be fair and equitable to the rest of the Village employees, Council would need to review the request from the Police Department while also reviewing the other departments and look at the situation more broadly. Bob asked if the three dollar an hour thing is what everyone is talking about. The Mayor advised no, the three dollar an hour increase would be for all Village employees. The Mayor said the Chief wanted to bring up paying the part-time officers time-and-a-half pay for holidays and a shift differential pay increase. The Mayor understands that Council might want to take a little more time in discussing pay ranges for the shift differentials. However, the Mayor advised the Chief wanted to address the part-time officers receiving time-and-a-half pay for working a holiday, like Christmas. The Mayor asked Bonnie what a regular full-time police officer gets paid for working a holiday. Bob interjected and stated the officers get two-and-a-half-times their pay rate. Bonnie advised that it's time-and-a-half the employee's regular rate of pay for all employees. It's two-times the regular rate of pay if the employee is not scheduled to work and gets called in to work on a holiday. It's one-and-a-half-times the employees' regular rate of pay if the employee is scheduled to work on a holiday. As Bonnie noted in her report, no employee is entitled to it, it's strictly a legislative move. Bob asked that if Council is in favor, what is the reason to wait. Chris advised Bob that she is not prepared for this yet. The Mayor asked for a motion to address part-time employee Bret Gfell, for his time-and-a-half rate of pay when called out and on-call pay when assigned. Chris Raftery made the motion, seconded by Sue Rogers, to accept the part-time, time-and-a-half pay rate of pay and the on-call pay for Bret Gfell. Sam commented that he understands why Council is doing this for Bret, but at the same time, why isn't Council helping the part-time police officers. Bob stated he would like to know that as well. Sam agreed that Council can wait until the spring to address the shift differential, but since there are about to be working holidays for the police department then it should be addressed now. The Mayor advised that right now Council needs to finish the discussion about Bret's time-and-a-half pay and on-call pay. The Mayor asked for a roll call regarding the motion on Bret's pay, unless there were any further questions. Sam interjected and asked if there is a difference between Bret and the part-time police officers. Bonnie advised the difference is the uniqueness of the situation. Bret is not asked to do this on a regular basis. Bret will not be on-call unless Dave or Alex is unavailable. Bret will not be asked to work overtime unless Dave or Alex are unavailable. Bret will not be asked to work overtime for a call-out unless Dave or Alex are unavailable. Bret could go months without having either one of those pays. Troy said the part-time officers are only scheduled if they are asked to work and are available to do so. Troy said paying part-timers the time-and-a-half would give them an incentive to work on holidays. Troy said the Village would actually save money because we wouldn't have to pay a full-time officer the-time-and-a-half pay rate. Sam interjected and advised we wouldn't be paying the full-time officer the double-time-and-a-half pay rate. Bonnie advised it's not double-time-and-a-half for a full-time officer to work a holiday, it's just time-and-a-half. Chris stated that in an event that this would occur after the first of the year, Council could always retroactively pay the officers, if Council makes the decision to move forward. In the meantime, Council should put all of those incentives for the police department in one discussion. Troy stated that he thinks Chief wanted to have this in effect now, so that he could tell the part-time officers that if they work a holiday, they will get time-and-a-half pay rate. Bob stated he thinks this is nothing but good for the Village, as it will save the Village money by putting in a part-timer at-time-and-a-half for the holiday. Bonnie reminded him that is only if the part-time officer is available to work. Troy stated that the part-time police officers will not work if they are only getting paid straight time. Sue Rogers stated that Council should address this part of the police wages now and save the rest for later. The Mayor reminded Council again that they need to finish voting on the motion for Bret first. Motion carried with no further discussion. Sam Wiley stated he would like to make a motion to put the part-time police pay in effect for time-and-a-half pay for holidays. Bonnie advised Sam that what he should do is amend the ordinance. Section five of the ordinance addresses the holiday pay. Instead of saying *all full-time* employees, it can be changed to read *all employees*. Sam expressed confusion over this. Bonnie advised Sam that correcting section five from *all full-time employees* to *all employees* would allow for the part-time employees to be included. The Mayor advised that the ordinance addresses the three dollar per hour increase. If that is being passed, it would be "as presented." If Sam is going to ask for a motion to change the language in section five, he would need to ask for an amendment to include the changes he wants in section five, for all employees and not just full-time employees. Bonnie asked Jim Barney if there are any issues. Jim said if it's a substantial amendment then it would need to be read three times again, Council can't change it. Jim verified with Bonnie that the Ordinance hasn't been read at all. Bonnie verified

that, but asked if it can't be read as amended since it hasn't been presented yet. Jim advised no, not if the amendment is substantial. If the Ordinance hasn't been read at all, then it's not that much of an issue. Jim says it's better to just go through this and not make a motion now. It's better to make a motion when the Ordinance is read, have discussion and then it can all be done at the same time. When it's time for discussion on the passing of the ordinance, make a motion to pass the amended ordinance. The Mayor asked if we negate Sam's original motion. Jim stated yes, since we don't have a second yet and that Sam can choose to withdraw his motion. Sam verified that he would like to withdraw his motion. The Mayor asked for a motion in regards to the new wage ordinance. Sam Wiley made a motion to accept the new wage ordinance. Bonnie reminded Council that it's already on the agenda. The Mayor verified that Council would wait and address it when Council reaches that part of the agenda.

**Mayor** – The Mayor thanked everyone who was involved in the Village Vintage Christmas. She thanked Tom and the Village employees who were involved as well. She received a lot of good feedback and is appreciative of everyone's hard work. It was decided that because of the increase in Covid cases, Council isn't going to host a holiday luncheon for the Village employees at this time. Instead, it will be held later next year. The Mayor thanked Mark Rupp for the twelve years of service he provided as a Council member. The Mayor also thanked Joe Galea for coming on as a new Council member. The Mayor asked for a motion about the rules of Council. Bonnie advised it can be done now or during Council business. Bonnie went over general questions regarding the Rules of Council and both Joe Galea and Jim Barney contributed to the discussion. Discussion in regards to proper posting of meetings in the newspaper and on our website, as well as the Mayor's social media site for the Village. It was determined that the Village is posting proper notice of meetings, according to the Ohio Revised Code. Chris Raftery made a motion, seconded by Sue Rogers, to accept the Rules of Council as presented. Motion carried with no discussion. Bonnie also wanted to make mention of the AMP invoice she distributed to Council at the beginning of the meeting and wanted to remind Council of where Village energy is obtained from.

## **BOARD & COMMITTEE REPORTS**

**HURON RIVER JOINT FIRE DISTRICT** – Bob Whitacre provided an update per the HRJFD meeting that was held on 12/1/21. He didn't have the information for the number of November call outs. The department signed for a new pumper but unfortunately there is a two-year waiting period to receive it. Bonnie asked if it was partially funded from a grant and Bob advised no. The pumper was purchased from a company called H.M.E. The price tag is \$430,000.00 and that is the most expensive piece of equipment the fire department has. Compared to other municipalities, Monroeville pared it down and spent the least amount of money they were able to.

## **ORDINANCES & RESOLUTIONS FOR THIRD READING**

**ORDINANCE 2021-22** *An Ordinance creating a four way stop at the intersection of Chapel Street and Broad Street in the Village of Monroeville.* Sam Wiley made a motion, seconded by Sue Rogers, to pass Ordinance 2021-22 on third and final reading by title only. Motion carried with no discussion.

**ORDINANCE 2021-24** *An Ordinance approving the participation in the AMP Renewable Energy Credits Purchase Program.* Chris Raftery made a motion, seconded by Sam Wiley, to pass Ordinance 2021-24 on third and final reading by title only. Motion carried with no discussion.

## **ORDINANCES & RESOLUTIONS FOR PASSAGE**

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

**ORDINANCE 2021-28** *An Ordinance repealing Monroeville's wage Ordinance No. 2021-01, recreating the wage Ordinance to increase hourly wages for employees of the Village of Monroeville for fiscal year 2022, and declaring an emergency.* Sam Wiley made a motion, seconded by Bob Whitacre, to amend the language in section five of the wage Ordinance to include *all employees who work on a holiday will be paid at one-and-a-half times their regular rate of pay.* Motion carried with no discussion. Sam Wiley made a motion, seconded by Bob Whitacre, to pass Ordinance 2021-28 as amended. Motion carried with no discussion.

**ORDINANCE 2021-29** *An Ordinance amending, supplementing or reducing certain funds for Appropriation Ordinance 2021-06, and declaring an emergency.* Bonnie advised she had to

add more money to the water fund due to the significant amount of overtime that is being worked. Also, Administration would like to bring in the seasonal part-time worker, Callie Rosser, while she is on holiday leave from school. The water and wastewater plants are behind in general housekeeping and Callie can assist with that. Sam Wiley made a motion, seconded by Chris Raftery, to pass Ordinance 2021-29 by title only. Motion carried with no further discussion.

**RESOLUTION 2021-40** *A Resolution authorizing the Fiscal Officer to repay a portion of the advanced funds for the Route 20 Waterline Project, and declaring an emergency.* Sue Rogers made a motion, seconded by Chris Raftery, to pass Resolution 2021-40 by title only. Motion carried with no discussion.

**RESOLUTION 2021-41** *A Resolution establishing a Public Utilities Commission of Ohio Fund for the purpose of accountability of funds received for the railroad safety enhancements within the Village of Monroeville, and declaring an emergency.* Sam Wiley made a motion, seconded by Craig Franklin, to pass Resolution 2021-41 by title only. Motion carried with no discussion.

**RESOLUTION 2021-42** *A Resolution authorizing the Fiscal Officer to repay the General Fund a portion of the advancement of funds for the Water Meter Replacement Project, and declaring an emergency.* Chris Raftery made a motion, seconded by Bob Whitacre, to pass Resolution 2021-42 by title only. Motion carried with no discussion.

#### **APPROVAL OF BILL SUMMARY**

Chris Raftery made a motion, seconded by Bob Whitacre, to approve the bill summary as presented. The summary includes memo expenses and check # 043671 to # 043790 for a total of \$692,108.90.

#### **COUNCIL BUSINESS**

The Mayor asked for discussion regarding the advertisement for a new employee in the Water/Wastewater Department. Chris Raftery made a motion, seconded by Craig Franklin, to approve advertisement for the Water/Wastewater position.

#### **ADJOURNMENT**

There being no other business to come before them, Craig Franklin made a motion, seconded by Sam Wiley, to adjourn. Motion carried with no discussion. Meeting adjourned at 6:58 PM.

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Heather Alicea, Administrative Spec.

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Melissa M. Fries-Seip, Mayor

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