

On Tuesday, January 13, 2026, at 6:00 PM at the Monroeville High School Auditorium, Mayor Joseph Galea opened the Council meeting with a word of prayer. 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	and	Joseph Galea, Mayor
Mark Miller		Tom Gray, Village Administrator
Sue Rogers		Eunice Collene, Fiscal Officer
Tammy Schachter		Jim Barney, Solicitor
Bob Whitacre		Chief Jon Earl, MPD
Jim Ehrman		

Also attending: Don Clark, Ann Beck, and Ashley and Andy Koch stayed for the duration of the meeting. There were many others in attendance for the presentation of proclamations to the Monroeville High School Volleyball and Football teams.

The December 2025 financial reports, bank statements, balance sheets, check reports, and bank reconciliations were previously distributed to the Council via e-mail.

APPROVAL OF AGENDA

Mayor Galea asked for Council's approval of the agenda. Sue Rogers made a motion, seconded by Chris Raftery, to approve the agenda. Motion carried with no discussion.

CHANGE OF MEETING LOCATION

Mayor Galea requested a motion to approve the change of location for the meeting to accommodate the public for the presentation of proclamations. Chris Raftery made a motion, seconded by Mark Miller, to approve the location change. Motion carried with no discussion.

DISPOSITION OF MINUTES

Mayor Galea asked Council for a motion to approve the minutes from the regular Council meeting on December 9, 2025. Sue Rogers made that motion, seconded by Tammy Schlachter. Motion carried with Jim Ehrman abstaining.

APPROVAL OF FINANCIAL REPORTS

The mayor asked Council for a motion to approve the December 2025 financial reports. Chris Raftery made that motion, seconded by Bob Whitacre. Motion carried with no discussion.

APPROVAL OF THE MONTHLY CREDIT CARD REPORT

The mayor asked Council for a motion to approve the December 2025 credit card report. Sue Rogers made that motion, seconded by Bob Whitacre. Motion carried with Jim Ehrman abstaining.

PRESENTATION OF PROCLAMATIONS

Mayor Galea presented proclamations to the Monroeville High School Football and Volleyball teams, recognizing their successful seasons.

WELCOME NEW COUNCIL

Mayor Galea welcomed new councilman Jim Ehrman, who took his oath of office on December 29th. Mr. Ehrman introduced himself and gave a brief background. He stated that after taking his oath of office, the mayor asked to speak with him. The mayor explained and gave him documents outlining the ethics laws. Jim said the mayor said the matters pertaining to Eagle View were a conflict of interest and that he should not participate in the discussion or vote on matters involved. Jim feels this limits his ability to represent his constituents, and he felt intimidated and threatened. He said that he found where you could waive the ethics rules, so we can decide what we want to do. He then distributed a copy of the oath of office and pointed out that it states to uphold all laws of the village, not just some.

Mayor Galea asked that things be brought back to council business. Jim concluded with saying he felt entrapped and asked why he was being silenced. He commended the village employees for their excellent service and said his door is always open, and encouraged the public to attend meetings and get involved.

OPPORTUNITY FOR CITIZENS TO ADDRESS COUNCIL

Ashley Koch gave a statement on behalf of herself and her husband, Andy, regarding the flooding issues at their property in Eagle View. She gave some history and then gave a comparison with the Pean's Pizza property, reflecting how differently they have been handled and the timelines. Her statement is attached as Exhibit A. She concluded in asking council to make a motion to instruct Solicitor Jim Barney to proceed with action against Nick Wade, who owns and operates at 100 Sandusky Street.

ADMINISTRATIVE REPORTS

Administrator – Tom presented his report that had been previously submitted to the Council and outlined goals for the year. Bob asked for an update on the CDS Grant. Tom said it should be wrapped up this year, as we are waiting for the release of funds from the state. The mayor then asked Tom to fill council in on the plan with Makeever. Tom explained that the village will have Makeever and Associates do a flow study of the storm water in the area of 100 Sandusky Street. Jim Ehrman questioned why the village is spending money on a study instead of just connecting the tiles to the catch basin behind his house. Tom noted the need to have a hydraulic engineer to comply with the EPA, so we are not just diverting the problem. Mark Miller asked about the timeframe for the study. Tom said. It should be done in February and deferred to Eunice for questions on financials. Eunice noted there will be a request for appropriation of funds for this at the next council meeting. Mark then asked Jim Barney where things stand with fining Mr. Wade. Mr. Barney stated this is not a fair comparison between Pean's and Wade's property, and this is a global approach with prosecutorial discretion, with appropriate action being taken. Mr. Ehrman said he felt there was a better way to spend the money.

Fiscal Officer – Eunice presented her report that had been previously submitted to Council. We are still waiting for the 2024 audit report. We are moving forward with contracting our utility bill mailing. The Village Christmas was a great success, and Santa had a lot of visitors.

Police – Chief presented and reviewed his report that had been previously submitted to Council. Chief requested permission to move forward with the purchase of a new cruiser. This is in the current budget at the state bid of \$69,785, fully equipped and ready to go. Sue Rogers made that motion, seconded by Bob Whitacre. Motion carried with no discussion. Chief requested approval of 3% raises for his department that is already in his budget for 2026. He would like those to be retroactive to January 1st. The last raise was in January 2025. Chris Raftery made that motion, seconded by Bob Whitacre. Motion carried with no discussion. Chief has gotten an extension for the FLOCK cameras, and we will need to make a decision at the next meeting on which cameras we want to keep in place. Bob asked about the status of the SRO. Chief will be presenting and discussing proposals at the next school board meeting.

Solicitor – Jim had no information to report.

Mayor – The Mayor performed a marriage on New Year’s Day, and they gave a \$100 donation that will go toward Christmas in the Village. Condolences were expressed to the family of LaDonna Christman, who served the Village for 32 years as treasurer and village clerk. Mayor Galea reviewed the steps we have taken regarding raises for all employees, and this will be addressed at the next meeting for the remaining employees. He requested a motion to approve a 3% raise for Chief Earl, effective January 1st. Sue Rogers made the motion, seconded by Tammy Schlachter. Motion carried with no further discussion. As his annual report, Mayor Galea reviewed the General Fund and the Enterprise Funds balances with comparisons of revenue and expenses and carryovers. Bob asked about the status of the sale of the property for Gray Matter. Tom noted the Royaltan property is to sell tomorrow. Tom was notified today that there will be mediation around mid to late February to discuss bringing the parties whole. It will take time, but it will move forward in February.

BOARD AND COMMISSION REPORTS

HRJFD

Huron River Joint Fire District convened on December 3, 2025: Bob reported there were eight calls in December, and none were within the village. There was a total of 137 calls in 2025. They are working on a couple of grants.

ORDINANCES & RESOLUTIONS FOR PASSAGE

There was no legislation presented.

APPROVAL OF BILL SUMMARY

The mayor asked Council for a motion to approve the bill summary. Tammy Schlachter made a motion, seconded by Bob Whitacre, to approve the bill summary as presented, which included memo expenses and check #047450 to check #047500, for a total of \$817,327.98. Motion carried with no discussion.

COUNCIL BUSINESS

The mayor asked Eunice to read the committee assignments. The mayor asked if anyone wanted to request a change of committees. With no response, the mayor asked Jim Ehrman to serve on the Employee Relations/Grievance Committee, which he accepted. The new committee list is attached as Exhibit B. The mayor wanted to address the request from Ashley Koch to refer issues to Jim Barney. Mark Miller said that if we started fining him, he thought he would start getting things done, and asked the mayor if he saw it that way. The mayor said he believed he would take the fine, but it was up to council if they wanted to make a motion for Jim Barney to take action. Mark asked Jim Barney where things stand. Jim stated they have been working with Mr. Wade to resolve the drainage problems. Solving the zoning issues does not fix the drainage problems. With no motion, the mayor moved on to council business. Mark asked if he could ask Ashley a question. He asked if she would rather have him fined or fix the drainage issues. She said that council has already voted for the study, so that will be done now. She feels someone should be responsible when they break the law. She thinks if he were held accountable for the zoning laws, he would have had to submit drainage plans just like Pean’s had to do. There is a \$100 per day fine for the violation exists. She asked if the study is for the entire area, why were officials meeting with just Mr. Wade and his attorney on Friday morning? Mark asked the mayor if he could explain what the meeting was about. The mayor explained they reviewed the complaints and what the best resolution would be. Jim Barney said even if Mr. Wade comes in with a site plan, the village would still need the study to show if the pipes could handle the flow and if it is a good plan. He noted we will spend more money in citations

than he would pay in fines and penalties. Jim Barney said he feels Mr. Wade is taking responsibility because he could easily resolve the zoning issues, and the drainage would still be a problem. Instead, he is willing to work with the village to resolve the drainage. The mayor asked if there was a motion from council. Jim Ehrman asked about smoking the pipes as a better option. Jim Barney explained that it is not an option because we would need permission to go onto private property, and the study is more inclusive of all the water and not just Mr. Wade's.

ADJOURNMENT

There being no other business to come before them, the mayor asked Council for a motion to adjourn. Sue Rogers made that motion, seconded by Jim Ehrman.

Meeting adjourned at 7:40 p.m.

Eunice A. Collene, Fiscal Officer

Joseph Galea, Mayor

The minutes of this meeting were recorded by Fiscal Officer Eunice Collene, who approves them as transcribed.

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EXHIBIT A

Council,

Andy and I are here tonight regarding the enforcement of Zoning Violations that were issued to 100 Sandusky Street on June 2, 2025 and the lack of enforcement over the past 7 months. As you likely recall, we and 6 other village residents submitted a Zoning Violation complaint to Zoning Inspector Dave Mahl in April 2025 which compelled Mr. Mahl to investigate the zoning complaints immediately. Essentially, our complaint alleged that historical aerial Google Earth views of 100 Sandusky Street prove that in recent years the business had done a roof remodel and increased the space of its parking lot by more than 5 spaces thus subjecting it to zoning permits, conditional use permits and site review by planning commission which would include engineered stormwater management plans. Public records request proved that Zoning permits were never issued, and the property owner never got Planning Commission approval for the parking area. Our concerns were rooted in the unapproved management of storm water that grossly affects Eagle View Manor residents. On June 2, 2025 Zoning Inspector Mahl issued a Zoning Violation letter to the property owner of 100 Sandusky Street, citing Zoning Ordinances that speak to obtaining Zoning Permits, non-conforming use, and discussion with Planning Commission. The Zoning Inspector's letter specified a timeframe of 30 days for compliance with Zoning Ordinance. That period of 30 days expired over six months ago on July 3, 2025, with no formal efforts from the Village in accordance with zoning law enforcement, and that is why I am here tonight to speak to you.

In reviewing November 2025 Council meeting minutes, the Mayor indicated that he felt Mr. Wade was making efforts to resolve the problem. Mayor mentioned that the Zoning Issue is "so narrow that Mr. Wade could comply without ever actually resolving the stormwater management problem." Mayor also questioned if it should be Mr. Wade or the Village who bear the costs of engineering.

Mayor's opinion is highly discordant with Village of Monroeville Zoning Ordinance and past practice of zoning enforcement. Recall the Village Zoning Inspector cited Mr. Wade on June 2, 2025 for Zoning Violation 1142.04. This ordinance should compel Mr. Wade to present professionally engineered site plans to Planning Commission for approval of which should include "plans to prevent the pollution of surface or groundwater, erosion of soil, excessive runoff, excess raising or lowering of the water table, and flooding of other properties" and "storm runoff calculations." By enforcing the Zoning Violations as issued to Mr. Wade over seven months ago, Mr. Wade would be compelled to submit engineered plans to the Village Planning Commission for approval, which *would* include

management of his storm water. Yet, to this day Mr. Wade has not applied for permits, nor presented for discussion or site plan approval to Planning Commission. Perhaps more concerning is that the Village has made no formal efforts to enforce Mr. Wade's compliance with Zoning law. Zoning Ordinances are law, the Village Attorney has the ministerial duty to initiate prosecution procedures if violations are not brought into compliance in the specified time frame of the zoning violation notice.

Seven village residents sent a certified letter to Mr. Barney making him aware of zoning noncompliance and demanding enforcement. Mr. Ehrman, Andy, and I received a return letter from Mr. Galea dated August 13, 2025 describing that because "Village and its representatives" are satisfied with the engagement of the property owner of getting the parking lot into compliance, they have utilized *discretion* to defer criminal or civil enforcement. Mr. Mayor also noted in the August letter that because the Zoning Inspector has not communicated to the Village Attorney "any violations not corrected" that there is no mandatory duty to initiate prosecution. While the Zoning Inspector enjoys a discretionary duty in determining zoning violations, there is no room for discretion or selective enforcement once a violation has been issued, that is a fact and that is law. Additionally, Zoning Ordinance 1135.16 states "Any violations not corrected within the specified time frame shall be reported to the Village Attorney who shall initiate prosecution procedures." The Village Ordinance does not say *WHO* shall notify the Village Attorney, it simply states the Village Attorney shall be notified. You all can appreciate that I have emailed and sat in public meetings and notified Mr. Barney of zoning violation non-compliance several times. Mr. Barney *has* been notified of zoning violation non-compliance.

To prove how Monroeville Zoning Ordinance violations are enforced, we can turn to past practice. Eunice was very kind to provide me with my public records request in the zoning ordinance violation enforcement surrounding Jeff Pean's parking area in the late 2000s. You may recall that Jeff Pean demolished an old residential property next to his pizza business to turn it into a parking lot. In doing so, he subjected himself to Zoning Ordinances as it relates to parking areas which included hard surfacing which was subject to Planning Commission site review and approval. Like Mr. Wade's Zoning citations, the Village issued Mr. Pean with Zoning Ordinances of failure to obtain conditional use permit and required site plan review by Planning Commission for which he did not comply and the Village pursued enforcement. I spent time over the weekend reviewing over 200 public records of how the Village enforced Mr. Pean's Zoning Violations and compared it to enforcement of Mr. Wade's same violations. I want to remind you that once a

Zoning Violation is issued, enforcement of the violation is not arbitrary, it cannot be selective, and it is law and so we should see consistency in enforcement between Mr. Pean's case and Mr. Wade's case. I will note at the time of enforcement of Mr. Pean's case that there have been no changes to the law as it pertains to zoning violation enforcement procedures.

First, it is perplexing to realize that at the time of Pean's violation enforcement, the Village Solicitor was Jim Barney, the Zoning Inspector was Dave Mahl, and the Chairperson of the Planning Commission was Chris Raftery all of whom were heavy handed in the enforcement of the very same Zoning Violations of Jeff Pean, and all whom still serve in the same roles as Wade's is allowed to avoid enforcement. One would expect these three individuals to have a good understanding of how zoning enforcement in the Village works based on their experience in handling zoning violation enforcement for the Village in the well documented past. I will note that in review of public records from the enforcement of Pean's zoning violations, the Mayor at the time had little handling in the matter.

After a February 2009 Village Council Meeting when "Jim Barney would look into what next step to have Pean comply is" Jeff Pean was given a certified letter from Dave Mahl regarding parking lot compliance and 30 days to comply. Shortly after, Village Attorney Barney issued legal opinion to Village Administrator asserting that one does not have a right to put a privately owned parking lot in the central business without obtaining a conditional use permit. Barney asserted that Pean must meet the requirements of the Zoning Ordinance when he applies for a zoning permit, and described it is prudent to enforce the requirements of codes and point out to the court Pean has made no effort to comply with the code." In a letter from Dave Mahl, Mr. Pean was then advised to cease use of his parking lot since it was not legal use. Village Council moved to uphold zoning ordinances and directed Attorney Barney to proceed with next step of enforcement. Mr. Barney notified law director and courts of zoning noncompliance. Misdemeanor citations were issued to Jeff and Bonnie Pean. During court, Mr. Pean pleaded no contest, was fined, and charges against Bonnie were dropped. At the courthouse Mr. Pean and Village agreed that Mr. Pean would submit site plans to Planning Commission which among other things would include drainage from the parking lot. Mr. Barney himself, reiterating discussions had the court house stated "While there was no discussion or promises made in our meeting about what the Village can and will do regarding your parking lot, everyone agreed that nothing can be done until a site plan is provided to the Planning Commission that shows all the necessary elements contained in the Village ordinance". Jeff hired Contractor Design Engineering to do his site plan at his own expense. After he submitted his site plan to the Village,

he had to pay \$718.01 to the Village to have the Village Engineer review it. The site plan was approved by Planning Commission. Mr. Pean was responsible for costs of storm water management which included excavation to meet new grades and provide positive drainage, installation of catch basins with heavy duty grates, installation of storm pipes, and cast iron coverings of existing drains.

For comparison, Mr. Wade, whose violations fall under the same Zoning Ordinance Enforcement Procedures, and public servitude of Dave Mahl and Chris Raftery, and Village Attorney Barney, has been able to avoid enforcement for the exact same Zoning Violations. One could argue that Mr. Pean's violations were far less egregious as his neighbors spoke in support of him and verbalized that they were not bothered by his parking lot. Compare that to Wade's, in which at least nine neighboring property owners have provided written or verbal communication to the Village about their concerns and detriments to their properties from Mr. Wade's zoning violations. To bring his parking lot compliance, Mr. Pean provided quotes to the Village close to \$80,000 along with declination of ability to obtain financing from Croghan Bank. Mr. Mahl's 2009 reply to that was that the violation was a misdemeanor, Pean cannot get a variance because he already had an extension, and financial is not a hardship. Mr. Mahl also asserted during a Planning Commission meeting "need to enforce Zoning rules or why have them and can't have businesses telling us what they are going to do". Mr. Pean's violation came before Planning Commission in which Chris Raftery was Chairperson no less than 12 times before site plans were even submitted. For comparison, Mr. Wade's issue has not come before Planning Commission once. Mr. Raftery, can you explain that? You served as Chairperson to the Planning Commission at the time of Mr. Pean's enforcement, and you serve on the Planning Commission now. You have been aware of zoning violations out of compliance with Planning Commission laws, and have not brought this before Planning Commission?

- Mr. Pean was forced to have a State engineer develop his site plans, AND THEN pay for the Village engineer to review his plans. Why is there any question from you Mayor as to who will pay for the engineering of Wade's violation and construction of storm water management from his parking lot?
- There is documentation in enforcement records of Mr. Pean's that indicate the Village had contact with Mr. Pean's engineer. Have any Village representatives made contact with Mr. Wade's supposed engineer?
- Why did Mr. Pean have to pay for permits and postage, and Mr. Wade does not? -
- Why are there 6 handwritten notes of Mr. Mahl's assessment of Mr. Pean's

property in relation to Zoning Violation and site review and planning, but none to be found in public record surrounding Wade's?

-Why did the Village Attorney, Mayor, Tom Gray, and Mr. Wade have a private meetings at the Village office last Friday morning? Andy was there paying a utility bill and he was not invited into negotiations. Was Zoning Inspector Mr. Mahl present at the meeting?

-During Mr. Pean's enforcement, the Clerks would write notes as documentation even when Mr. Pean stopped into the Village office pay a utility bill, or if he would call for the Village Engineer's phone number. Do you have documentation of what has been discussed during "site visits" or private meetings between Village representatives and Mr. Wade? There is a reason why site plan content must include all of the names and addresses of all owners of record of abutting parcels and those parcels within 500 feet of any property line of the subject property when it is submitted to Planning Commission for PUBLIC meetings. Mr. Mayor, I know you are probably used to private law practice, but as Mayor you serve ALL residents, and that cannot be accomplished in private meetings with Mr. Wade, it can ONLY be accomplished in the equal enforcement of law AND with transparency. **This cannot be negotiated with Mr. Wade behind closed doors, this can only be resolved with review and approval of engineered site plans by Planning Commission during public meetings.** Furthermore, your property would likely be included in such notification of Planning Commission review of Wade's property given the proximity to Mr. Wade's property line to yours, which makes it even more curious why you have threatened Mr. Ehrman with ethics violations if he partakes in Council discussion regarding Mr. Wade's zoning violations but have not recused yourself of the issue.

It has been 195 days since the expiration for the timeframe of compliance on Mr. Wade's zoning violation notice. Per the Ordinances each day is a separate offense, with up to \$100 fine and minor misdemeanor. As of today, if prosecuted, that could equate to fines of \$19,500. I don't think it was too far off from number that RA Bores quoted the Village to correct Mr. Wade's stormwater management problem. And make no mistake, the cost of engineering for site plans and construction of storm management of Mr. Wade's properties is not the responsibility of the Village nor any of the residents tax dollars, it became the sole responsibility of Mr. Wade when he decided to make parking lot changes that subjected him to conditional use permits and Planning Commission, as it was the responsibility of Mr. Pean when he decided to change a portion of his property to a parking area.

In closing, and since Mayor truly believes that Mr. Barney has no knowledge of Zoning Violation noncompliance as it pertains to 100 Sandusky Street, I am requesting a motion from Village Council to formally notify Mr. Barney of noncompliance of Zoning Violations as it pertains to 100 Sandusky Street and direct Mr. Barney to take next steps in enforcements as per the Ordinances. You all took an Oath to uphold Village of Monroeville Zoning Ordinances. Mrs. Raftery, I think you should make the motion since you have the most experience among Council with Planning commission, zoning enforcement, and have been a part of similar motions in similar enforcement circumstances in your longstanding history of public office.