

On Tuesday, November 14th, 2023, at 6:00 PM, Mayor Melissa 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	and: Melissa Fries-Seip, Mayor
Craig Franklin	Tom Gray, Village Administrator
Joe Galea	Heather Alicea, Administrative Specialist
Sue Rogers	Jim Barney, Solicitor
Bob Whitacre	Gary Lyons, Chief of Police
Sam Wiley	

Also attending: Lt. Troy Kimball, Mark Miller and Thomas Nelson.

The October 2023 financial reports, bank statements, balance sheets, check reports, and bank reconciliations were previously distributed to Council via e-mail.

APPROVAL OF AGENDA

Mayor Fries-Seip asked for Council's approval of the agenda as presented. Sam Wiley made a motion, seconded by Craig Franklin, to approve the agenda as presented. Motion carried with no discussion.

DISPOSITION OF MINUTES

Sue Rogers made a motion, seconded by Joe Galea, to approve the minutes as presented from the 10/10/23 regular Council meeting. Motion carried with no discussion.

APPROVAL OF FINANCIAL REPORTS

Chris Raftery made a motion, seconded by Sam Wiley, to approve the October 2023 financial reports as presented. Motion carried with no discussion.

APPROVAL OF THE MONTHLY CREDIT CARD REPORT

Sue Rogers made a motion, seconded by Chris Raftery, to approve the October 2023 credit card report. Motion carried with no discussion.

OPPORTUNITY FOR CITIZENS TO ADDRESS COUNCIL

Thomas Nelson addressed Council in regards to GATSO traffic camera citations. Thomas said that Chief Lyons and Lt. Kimball know him and most of us are probably familiar with his name from Fox 8 news. Thomas said he would like to address some issues with the traffic camera citations. Thomas feels that Council isn't following the ORC or their own ordinances. Thomas said when he was in court for his violation, there was another gentleman in court that had received a camera citation for going two miles per hour over the speed limit. Going two miles per hour over the speed limit isn't in line with what is stated in the ordinance. The Mayor asked Thomas if he had a copy of the specific citation he is referring to. Thomas said no, but the gentleman's name who received that citation was Charles Feirstine. Chief Lyons said he would look up that citation, and he stepped out of the meeting. Thomas said the Village isn't following Ohio Revised Code (ORC) 4511.094, which states signs must be placed at all roads entering into the Village and signs must be at all fixed camera locations. Thomas said he hasn't checked every camera in the Village, but the only signs he has seen are on the ones on Main Street. He said the cameras on North Street don't have signs 300 ft. prior to the fixed location of the camera. Thomas said in order for the Village to be substantially compliant with their ordinances, the Village has to be 90% compliant with the traffic signs. Thomas said another ordinance that is out of compliance is 4511.096, subsection 3, which states the Village has 30 days to file a citation with the court, and that's obviously how he won his case when he contested his citation. Thomas said his citation wasn't filed with the court in 30 days. ORC 4511.097, subsection eight, states that the ticket must have the address of the court to pay the penalty. Thomas said there is no option to make payment to the court on Village citations. The options are to pay to the Village of Monroeville or to pay GATSO. Thomas said under that same code, section 10, there must be a time, place or manner to appear in court, and that's not listed on the Village citation. Chief came back in the meeting and showed Thomas a copy of Mr. Feirstine's violation. Chief explained that it was a red-light violation, not a speed violation. Chief explained to Thomas that camera citations aren't issued for speed unless the driver is going at least 12mph over the speed limit. Thomas said he may have the person's name wrong regarding citation he is referring to, as he knows it was someone that was going 27mph in a 25mph zone. Joe advised Thomas that if Mr. Feirstine has a question about his citation, then Mr. Feirstine can be the one to come to a Council meeting to address it. Joe asked Thomas to keep the discussion in regards to the concern regarding his own citation, rather than hearsay about another person's citation, especially when that person isn't here to discuss it. Thomas said he's not arguing about

someone else's citation. Joe disagreed and said Thomas is bringing up someone else's citation. Thomas said the issue is that the Village is issuing citations for going 27mph in a 25mph one. Joe said that is hearsay. Thomas said the time, place and manner to appear in court isn't listed on the citation because the Village isn't filing all of the citations with the courts. Thomas said evidently, the Chief talked to the court and the court wants it that way, but that's not the way it's written in the ORC. ORC section 4911.099 states that the tickets cannot charge court costs. The Village has been charging everyone a \$64 fee who appeals the citation and then loses the appeal. Thomas said under ORC code 1925.04, there is a minimum of 15 days and a maximum of 40 days of when a citation is filed with the court to have a hearing. The court is not following that code as there are citations going to court that are over 90 days old. The Mayor said Council can't answer on behalf of the court, but the issues that Thomas brought up that are within the Village's control can be reviewed. Sam asked Thomas about the tickets going into the court, as the court has to decide when those cases are heard. Thomas said he understands that court delay issues cannot be controlled by the Village, as his own case was well past the 40-day time limit to be heard. Thomas said per the ORC section 4511.097, citations have to be mailed within 30-days of issuance, by regular mail. The authority who is issuing the citations also has to file the citations with the local court who has jurisdiction over the civil action, by certified mail, within a 30-day time period. Sam said the citations are being issued timely, but the Village can't control the post office and how quickly mail is delivered. The Mayor said this will be looked into further and thanked Thomas for bringing his concerns to the meeting. The Mayor said signs are posted at each entrance to the Village in regards to traffic cameras. Thomas recognized that and said he's not disputing what she's saying, but he didn't see any signs on North Street in either direction. The Mayor said Council's intent isn't to "get anybody", but rather promote safety. The Mayor said Thomas's concerns will be addressed in order to ensure that the Village Council is doing what they are supposed to do.

ADMINISTRATIVE REPORTS

Administrator - Tom presented his report that was previously submitted to Council. Tom had four action items listed in his report for which he is requesting approval. Tree trimming cost is expected to increase by 15%-30%, due to market driven conditions. If Council approves one of Tom's recommendations, he will seek quotations after the first of the year to do tree trimming on both the electric side and the shade tree side. Tom asked Council for their opinion on truck decals. With the new vehicles being recently delivered, he is out of Village seal truck decals. Tom said for next year's budget, he received a quote from Foghorn Designs for 20 truck decals, for a little over \$200. Tom asked Council if they want to stay with the same Village seal design or do they want something different. Council didn't request any changes to the decal. Heather asked Tom if Foghorn Design can do a less blurry/more defined image of the current Village seal decal. Tom confirmed that the design will be better, less blurry and cleaner. Colton passed his CDL classroom and driver's training, and he now has his CDL license. Bob asked Tom for a quick explanation on the power pool information that he previously provided to Council. Tom explained that the Village power supply portfolio is made up of a number of resources: hydro, solar, nuclear, natural gas, coal, landfill, etc. On any given day, the terminology is "long on power, short on power". Today, for example, our portfolio provided more capacity than what we can consume in the Village. We don't allow the excess energy to float away from us. Instead, on our behalf, AMP takes that energy and remarkets it. In our case, northern power pool is made up of all the municipalities that are part of First Energy ATSI (American Transmission System Operation). If we have 500 extra kilowatt hours that we can't consume, AMP is aware and in turn, they market that, and it's our energy use the next month. If on a hot day we're short on resources in our energy, then we would go to the power pool and purchase extra energy. It's a seamless in-and-out transfer handled by AMP through a debit/credit account. There will be discussion in December regarding our resources and whether or not we have enough resources to support our needs. Sam asked when the UV will be pulled out of the WWTP and asked if he can be there to see it. Tom confirmed and said it will be done before the end of November.

Fiscal Officer – Heather Alicea presented the Fiscal Officer's report on Bonnie Beck's behalf, which was previously submitted to Council. Heather asked for Council's approval regarding the following: 1) \$3960 additional costs for Spectrum Engineering in regards to the recloser replacement support at the substations ; 2) A motion to approve an expenditure for \$10,456 for filter sand at the WTP that was approved under an emergency purchase order; 3) A motion to approve the expenditures of a new center high service pump at the WTP at a cost of \$14,988 + shipping; 4) Council approval of chapters 5-7 of the employee handbook; 5) Council's approval to issue a check to Monroeville Local Schools for \$5560 due to a meter reading glitch in Authority Utility; and 6) Council's retroactive approval of a purchase order for \$10,906 for the 2022 audit.

Chief – Chief presented his report that was previously submitted to Council. Officer's Reinhart and Mersereau completed ARIDE training (advanced roadside impaired driving enforcement), at Lorain County Community College. It was 16 hours of advanced training in detection and apprehension of those who may be driving while impaired. It satisfied the department's need for continued professional training and was at no cost to the Village. A few weeks ago, Matthew Wilson was hired as a part-time police officer for the Village. Chief just learned today that Matthew accepted a full-time position at Woodville. Matthew

will stay with MPD part-time and work when he can, but his part-time hours will be severely limited. Chief said this happens more often than not because of competitive wages. When Officers Reinhart and Mersereau were at their training, Westerville PD tried to recruit them. Chief asked for Council's approval to re-hire part-time Officer Curtis Silvers at \$21 per hour, as he is no longer employed with the Avon Lake Police Department. Chief said Curtis had a physical done in April-May of this year when he was hired at Avon Lake. Chief asked Jim if we would be able to accept the results of the physical from Avon Lake in order to get Curtis started here ASAP. Chief understands Curtis will still need to complete his drug and alcohol testing for the Village of Monroeville. Curtis already has his bullet-proof vest and is certified, so Chief would like to get him going. Lt. Kimball completed his last hours of CPT training, so his department is good to go for 2024. Chief said MPD received another body armor grant for \$5152, which will pay for half of the officer's body armor. It typically takes 3-6 months to get the vests in. As he talked with Bonnie, it was put on this year's budget and the requisition was done, but more than likely, it will be paid for out of next year's budget. Chief thinks they can maybe drop one order since Matthew Wilson is going to Woodville. Chief was checking out the possibility of purchasing a police cruiser earlier than what he anticipated due to the 2024 solar eclipse event. Unfortunately, Ford is not accepting orders until mid-2024. However, Great Lakes in Monroeville is now in the rental business. Chief said MPD should be able to temporarily rent a couple of Ford Explorers and put some lights on them to use during the solar eclipse. The logistics of the solar event are being worked through. Chief is going to talk to Bonnie about the 2024 budget, as he needs to prepare for the solar event. He isn't sure if he needs to add it to his current budget or prepare a separate budget just for the eclipse. He knows there's been talk about singling out the GATSO funds. Chief said he will have a conversation with Bonnie and will keep Council in the loop. The Mayor said provided that we can accept the Avon Lake physical for Curtis Silvers, when does Chief want Curtis Silvers to start and at what rate does he want to pay him. Chief said he would like Curtis to be paid \$21 per hour, based on his experience. The start date is to be determined upon a successful drug test and physical, pending the Village either being able to accept his physical from Avon Lake or requiring him to do another one. Heather asked if Chief wanted Curtis's pay rate to be \$20 per hour or \$21 per hour, as Chief's report to Council said \$20 per hour. Chief advised he would like Curtis's rate to be \$21 per hour since he has prior experience and deserves a little bit more. Sam said that in reviewing a prior bill summary, he noticed a purchase for two side-arms and asked Chief if those were for the new officers. Chief verified one was for an officer, the other one is a spare, and the purchase came from the drug confiscation fund. Heather said Bonnie had checked with the Village of Wakeman to see how they are preparing for the solar event and Wakeman is going to rent golf carts for their PD, as they prove to be more mobile, especially if traffic is at a standstill. Chief said he is reluctant to use golf carts due to officer safety, but it's an option. Chief said he thinks they still have bicycles in storage as well. Lt. Kimball said there is one bicycle. Craig said the new rental business through Great Lakes is called Fleet One and it's run by Holly Stang. Chief said he sent an email to Council regarding the employee handbook. If the questions in that email were already addressed at a handbook meeting, he understands, but he just wanted to mention his concerns and they can always be addressed at another time.

Solicitor – Jim Barney had no information to present.

Mayor – The Mayor asked Council for a motion to authorize the Village Administrator to secure proposals for 2024 three-phase and single-phase distribution line tree trimming & clearing and for the 2024 Shade Tree trimming & clearing. Sam Wiley made that motion, seconded by Craig Frankling. Motion carried with no discussion. The Mayor asked Council for a motion to approve the hiring of Alex Hoyt as an Operator Grade 1 in the Water & Wastewater Department. Heather asked for that motion to include the start date of 11/13/23, at a pay rate of \$25.25 per hour. Chris Raftery made that motion, seconded by Sam Wiley. Motion carried with no discussion. The Mayor asked Council for a motion to authorize the Village Administrator, in cooperation with the Fiscal Officer, to secure the part-time/seasonal employment of Colt Clark and Jimmy Clingman, as summer 2024 employees. Joe Galea made that motion, seconded by Sue Rogers. Sam asked if that motion allows for the possibility of hiring a 3rd person. The Mayor advised hiring a 3rd person is an option, but this motion is to secure employment for Colt Clark and Jimmy Clingman. Motion carried with no further discussion. The Mayor asked Council for a motion to authorize the Village Administrator to send letters of notification advising Courtney & Associates, Spectrum/Entrust Engineering, and Poggemeyer Design Group (PDG – A Kleinfelder Company), that each will provide professional consulting services to the Village in 2024. Chris Raftery made that motion, seconded by Sam Wiley. Motion carried with no discussion. The Mayor asked Council for a motion to approve the additional costs of \$3960 for Spectrum Engineering work on the recloser replacement support at the substations. Sue Rogers made that motion, seconded by Chris Raftery. Motion carried with no discussion. The Mayor asked Council for a motion to approve an expenditure of \$10,456, for the filter sand to be replaced at the water treatment plant. Sam Wiley made that motion, seconded by Chris Raftery. Motion carried with no discussion. The Mayor asked Council for a motion to approve a new center high service pump at the water treatment plant, at a cost of \$14,988 plus shipping and asked if she read the cost correctly, as she thought Heather said a different number earlier. Heather apologized, as earlier in the meeting she forgot to mention the cost to install the pump as well, at \$3285.56. Therefore, the motion should be for \$14,988 plus shipping for the cost of the pump, as well as a \$3258.56 cost for installation. Sue Rogers made that

motion, seconded by Sam Wiley. Motion carried with no discussion. The Mayor asked Council for approval to issue a check to the school for \$5560 for a refund due to a meter reading calculation error. Chris Raftery made that motion, seconded by Sue Rogers. Motion carried with no discussion. The Mayor asked Council for a motion to retroactively approve a purchase order of \$10,906 for the 2022 audit. Bob asked if that pays for the audit and Heather confirmed. Chris Raftery made that motion, seconded by Sue Rogers. Motion carried with no further discussion. The Mayor asked Council for a motion to re-hire Curtis Silvers as a part-time police officer, at \$21 per hour, start date to be determined upon Curtis Silvers successfully completing a drug test and physical and/or the Village being able to accept his 2023 physical from Avon Lake. Craig Franklin made that motion, seconded by Chris Raftery. Motion carried with no discussion. The Mayor would like to re-appoint Jim Morrow for the Village Planning Commission, for the next term, ending 12/31/29. To her knowledge, that's the only opening in the Planning Commission. The mural was completed in Council Chambers and Brandi Goodwin did a wonderful job. The Mayor has invited Brandi to attend the December Council meeting in order to provide her with a proclamation. The Mayor asked Heather to add that to the December 2023 Council agenda. The MMC plaque has been added to the foyer and looks great. Beginning in January 2024, Craig will no longer be on Council and Craig is the representative for the Shade Tree Commission. The Mayor asked Council members to think about this and if someone is willing to fill that roll, please let Joe Galea know. The Mayor said that in December, she plans on swearing in Joe Galea, Sue Rogers and Mark Miller, with an effective date of January 2024, and asked Heather to add that to the December 2023 Council agenda. The Mayor thanked the Fire Department for a good Halloween parade. Christmas in the Park is scheduled for Sunday, 12/10/23. Tom said the downtown lights will be completed this week and the park lights will be on next week. The Mayor said that due to illness, the St. Joe's choir will not be able to join Christmas in the Park, but the Mayor is looking at other options. The golf cart parade is scheduled. The Mayor has secured one gift certificate and is in search of two more. Tom said things are moving right along and items are coming in for the goody buckets for Christmas in the Park. The Mayor gave a shout-out to the employees for maintaining water and wastewater treatment equipment well beyond shelf life in order to save money. The Mayor advised chapters 5-7 of the handbook were mentioned earlier in the meeting and asked Council if they wanted to wait to address approving those chapters. Chris said due to Chief's email, Council will wait until the December meeting to make a decision on chapters 5-7. The Mayor suggested forming some kind of volunteer community group for the 2024 eclipse. The group could be trained and help visitors figure out where to go, provide assistance on traffic corners, etc.

BOARD AND COMMISSION REPORTS

Bob Whitacre reported that the H.R.J.F.D. met on 11/1/23. There were nine calls in October 2023. Grants are trying to be secured for breathing apparatuses. They received a Workers' Compensation grant for \$14,896, for four sets of turnout gear.

ORDINANCES AND RESOLUTIONS FOR PASSAGE

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

ORDINANCE 2023-19 *An Ordinance to make temporary appropriations for expenses and other expenditures of the Village of Monroeville, State of Ohio, during the fiscal year ending December 31, 2024, and declaring an emergency* was presented for passage. Chris Raftery made a motion, seconded by Sue Rogers, to pass Ordinance 2023-19 by title only. Motion carried with no discussion.

ORDINANCE 2023-20 *An Ordinance amending or supplementing certain funds for appropriations Ordinance No. 2023-05, and declaring an emergency* was presented for passage. Sam Wiley made a motion, seconded by Joe Galea, to pass Ordinance 2023-20 by title only. Motion carried with no discussion.

ORDINANCE 2023-21 *An Ordinance authorizing the execution of the 2023 NPP Power Pool Participant Schedule with American Municipal Power, Inc. ("AMP"), and declaring an emergency* was presented for passage. Chris Raftery made a motion, seconded by Sam Wiley, to pass Ordinance 2023-21 by title only. Motion carried with no discussion.

RESOLUTION 2023-24 *A Resolution establishing a special revenue fund for the accounting of monies from the ARPA 1st Responder Wellness, Recruitment, Retention & Resiliency Incentive, and declaring an emergency* was presented for adoption. Sam Wiley made a motion, seconded by Chris Raftery, to adopt Resolution 2023-24 by title only. Motion carried with no discussion.

RESOLUTION 2023-25 *A Resolution authorizing the Fiscal Officer to repay the advanced funds from the Ohio Department of Public Safety for the Body Worn Camera Grant Fund, and declaring an emergency* was

presented for adoption. Sue Rogers made a motion, seconded by Chris Raftery, to adopt Resolution 2023-25 by title only. Motion carried with no discussion.

RESOLUTION 2023-26 *A Resolution authorizing the Fiscal Officer to repay the General Fund a portion of the advancement of funds for the Water System Improvement Project's technical services, and declaring an emergency* was presented for adoption. Chris Raftery made a motion, seconded by Sue Rogers, to adopt Resolution 2023-26 by title only. Motion carried with no discussion.

APPROVAL OF BILL SUMMARY

Joe Galea made a motion, seconded by Sue Rogers, to approve the bill summary as presented, which included memo expenses and check # 040583 to check # 045598, for a total of \$703,352.54. Motion carried with no discussion.

COUNCIL BUSINESS

Chris Raftery made a recommendation to give Village employees a day off, the Friday after Thanksgiving, 11/24/23. The Mayor asked Tom if we have enough time to make all the necessary arrangements for that with his departments. Tom confirmed. Chief asked if that will be counted as a holiday, because last year his guys got time-and-a-half pay. Chris said that was because last year's day off after Thanksgiving was used for Juneteenth. The Mayor said someone from the Water Department will also need to be here, and possibly the Street Department if it were to snow. The Mayor said this isn't the first time we have done it, as it was done before Juneteenth and she asked if anyone remembers how it was done in the past. Tom said for those employees not working, it was a day off with pay, but he would have to defer to the minutes from years prior on how the pay was addressed. The Mayor asked Jim for guidance. Jim doesn't know what we did in the past. Jim said it's not a holiday in the Village, so it wouldn't have to be holiday pay, but it can be. Jim said Council isn't bound by any kind of law to pay at the holiday pay rate. Chief said something was done with Christmas Eve in the past. Lt. Kimball said it was Christmas Eve and New Years Eve. Heather asked if Council plans on making this day a holiday, because if they are, it would need to be addressed in the handbook. Jim said if they address it in handbook, it would be a day with pay, at time-and-a-half if the employee is working, because it's a holiday. Sue said she doesn't feel it needs to be another holiday, as we have a lot of holidays already. Discussion. Chris Raftery made a motion that employees have a paid day off on Friday, 11/24/23, and for those who work that day to get paid time-and-a-half, seconded by Craig Franklin. Motion carried with no further discussion.

Chief Lyons updated Council on a recent domestic incident and death that occurred at a residence on Monroe Street earlier in the week. Discussion regarding gun shots that were heard in the Village last week.

Joe brought up a grant that is being brought forth by the Ohio Municipal League to celebrate the history of Ohio communities. He feels as if the Village has a strong case to apply for it. Grant applications have to be turned in by mid-March, so Joe suggested holding a work session early next year to discuss applying for the grant.

Sam asked if he can meet with all of the Council members after tonight's meeting to run something past them. Jim advised Sam that he cannot do that, as that would be a sunshine law violation. Jim suggested that Sam either discuss it with everyone now or meet with people in smaller groups or individually outside of the meeting. Sam said he knows he has missed some meetings and may miss more due to personal reasons. He is considering stepping down in order for his absences not to be a hindrance to everyone. Discussion regarding excused versus unexcused absences, what is a quorum and what could be done if Sam were to excuse himself. Sam will remain on Council for now. The Mayor asked Heather to send a notice to the Norwalk Reflector and the Norwalk, Ohio online news, with a deadline of 12/8/23, for Village residents who want to submit a letter of interest in regards to a possible open Council seat. She suggested listing it on the next utility bill as well.

Sam said he recently had his car serviced at a new business in Monroeville on Route 20, called Autobahn. The owner, Will Grosswiler, told Sam that no one in the Village had stopped in to welcome him or have a conversation with him. Heather advised that the Village Admin. Office wasn't made aware of the new business nor was an income tax business registration form completed, as the office usually makes arrangements to send a welcome gift to new businesses.

Thomas Nelson apologized and said he made a mistake earlier in the meeting in regards to the citation for Mr. Feirstine, as he now sees that the violation was a red-light violation and not a speed violation. The Mayor thanked him for acknowledging that.

ADJOURNMENT

There being no other business to come before them, Sam Wiley made a motion, seconded by Sue Rogers, to adjourn. Motion carried with no discussion. The meeting adjourned at 7:23 PM.

Heather Alicea, Administrative Specialist

Melissa Fries-Seip, Mayor

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