

On Tuesday, September 12th, 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	Bonnie Beck, Fiscal Officer
Sue Rogers	Heather Alicea, Administrative Specialist
Bob Whitacre	Jim Barney, Village Solicitor
Sam Wiley	Gary Lyons, Chief of Police

Also attending: Mike Sitterly and Ziyah Piltz from The Hub newspaper.

The August 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. Craig Franklin made a motion, seconded by Sue Rogers, to approve the agenda. Motion carried with no discussion.

#### **DISPOSITION OF MINUTES**

Chris Raftery made a motion, seconded by Joe Galea, to approve the minutes as presented from the August 8, 2023, regular Council meeting. Motion carried with no discussion.

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

Sue Rogers made a motion, seconded by Craig Franklin, to approve the August 2023 financial reports as presented. Motion carried with no discussion.

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

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

#### **OPPORTUNITY FOR CITIZENS TO ADDRESS COUNCIL**

Mike Sitterly spoke in regards to water and sewage back-up that collected in his basement during two recent rainfalls. His brother bought the house in 1962, and he bought the house in the mid 70's. He's never had water in the basement until this year. When Mike approached Tom Gray about the problem, Tom asked Mike what's changed in this Village. Mike asked Council to tell him what has changed on his block. Mike doesn't understand why all of the sudden he had sewage backing up in his basement. He spent four days cleaning his basement out. He said storm sewer shouldn't be running into the sanitary sewer. Mike presented a bill to Tom that showed where his hot water tank had to be cleaned out and relit. Mike said he would like Council to reimburse him the cost of \$330. He talked to his neighbors and none of them had water in their basement, he was the only one. The Mayor asked Mike if this occurred during the recent storm system and Mike confirmed. Mike said water came up through the floor drain in his basement. Bob asked Tom if any of the commercial businesses on Mike's block had water in their basements during the same storm system. Tom confirmed the Monroeville Model Railroad Group had water in their basement due to a failed sump pump and Caleb's Cause had water coming in around the foundation. Sam asked if what they had was septic or storm water. Tom said it was storm water. Mike said he had septic in his basement. Sam asked if anyone knows of an inter-connect with septic and storm water in that area. Tom said his suggestion would be to do a smoke test of the drains to see where the connection is. The smoke test can be done internally. Mike again asked for reimbursement of his bill. The Mayor advised Mike that the smoke test needs to be done first before reimbursement can be decided upon. Mike said he has another problem which he has asked Tom about every year since Tom was hired. The catch basin on Route 20 in front of Mike's house is a big hole covered by a steel plate. If someone steps on it, they are going to break their leg. The Mayor asked if that is on the street surface and Mike confirmed. The Mayor asked if ODOT ever repaired that and Mike said no. Mike said the prior Street Superintendent, Dar Grodi, had ordered a catch basin. A year later, Tom was hired and Dar told Mike he couldn't put it in because he had to go through Tom. Mike said he's waited all this time and the catch basin still hasn't been installed. The Mayor said that issue would also need research, as Route 20 is a state route and the Village may not be able to add a catch basin without ODOT approval. The Mayor advised Mike that someone will follow-up with him regarding both matters. Tom advised a smoke test and a dye test will be done.

## ADMINISTRATIVE REPORTS

**Administrator** - Tom presented his report that was previously submitted to Council. Tom would like to advertise for a Water/Wastewater position, as this will allow him to move Rick Whiteside into the previously approved utility worker position. There's a lead line mapping project that needs to get underway by October 2023 and be completed by October 2024. The project involves determining the service line status for every resident and every business in the Village, commercial and industrial. It entails looking at the service line from the meter to the home or from the corporation stop to the home, or from the corporation stop to the meter pit and the meter pit to the home. The VAC truck would be utilized. The EPA has opened the door for us by allowing us to do a scratch investigation. We could go into the homes, go to the basement where the waterline enters the wall, and do a test for lead and/or galvanized lines. The Ohio EPA is putting together a contractor's list that we may be able to fall back on for assistance. The VAC truck may not be able to hold up to that much duress, day in and day out. The first step would be to do an evaluation of the line between the meter pit or the corporation stop and the house. Tom won't allow Rick to become lapse in his hours for operation of the Water and Wastewater Treatment Plants. In accordance to what Mike was saying earlier, we will continue to provide support to the EPA mandated stormwater management system, whereby we vacuum and jet the lines across the Village. Bonnie said she is going to be more aggressive with the Water/Wastewater advertisement this time. Last time, Administration advertised for two Water/Wastewater positions and only one person expressed interest. Tom said it's important to attract an already licensed individual. The Mayor asked how long this lead line mapping project will take. Tom advised it will take at least a year, and the October 2024 deadline is subject to revision by the EPA. Bonnie asked Tom if the EPA is offering grant money for the project. Tom said there's a grant program and a funding program. Right now, the Village is on the cusp of not qualifying for grants due to the income threshold and the Village size. We could get a 0% loan to do some of the work, but then that would mean another loan on the books. Tom and Bonnie will stay on top of it and see how to maximize it from a cost standpoint. The next two items are in regards to the engagement of outside counsel in support of two projects that have been in process. Tom asked for Council's approval to enter into an agreement with John Bentine, esquire, to facilitate the review of the proposed sale of a portion of the Village transmission system to AMPT. Tom also asked for Council's approval to enter into an agreement with John Coyle, esquire, of Duncan & Allen, to facilitate the review of and negotiation of agreements with D3 Energy for a floating solar project.

**Fiscal Officer** - Bonnie presented her report that was previously submitted to Council. Bonnie received the invoice for the railroad flagger fees for the South Main Street resurfacing. Bonnie asked for Council's approval of total cost, \$3,187.50, for two days of flagging. Bonnie also asked for approval of an emergency requisition in the amount of \$6292, for rebuilding the sludge pump due to seal failure and a worn shaft. Bonnie asked for approval of a sewer excusal in the amount of \$107.69 for utility account 03.1110.7. The resident had a prior sewer excusal for the same leak, but their recent usage was significantly higher than their average use and this was before the leak was discovered. Bonnie had sent Council information about the local government funding being affected by the traffic enforcement cameras. The formula with the state has changed twice in the last three years. Essentially, the Village isn't going to get the state portion of the local government fund. It's going to the school safety fund and Council will have to figure out how that money will be spent. Bonnie would like to get the handbook committee moving again, as it's been three years since they last met. Bonnie requested to schedule a meeting date by the end of tonight's meeting.

**Chief** - Chief presented his report that was previously submitted to Council. Chief said the MPD is due grant funds from the First Responder Retention Grant. He happened to look in his email junk file and the email showing MPD's eligibility was there, so he rapidly filled out the paperwork. Chief hasn't received confirmation yet, but it looks like the MPD has been approved for \$12,000. The funds are to be distributed among the full-time employees who worked through Covid and are still employed with the Village. Doing the math, that would be himself, Lieutenant Kimball and Nick Meyer. If MPD receives the grant, Chief isn't sure what the stipulations are, or if an agreement has to be signed that the employee(s) has to work an x number of years following payout. The Mayor asked if that stipulation is up to Council or is that more driven by the grant. Chief said he is unaware. Bonnie said she received information on how the grant is to be distributed and entered on the books. Bonnie said it can be part of the employee(s) paycheck and it's susceptible to taxes. Chief asked if pension would be taken out as well. Bonnie said she remembers reading something about the pension, but she can't remember exactly what the language was. Chief said in reviewing the court report, any accusations that MPD is just sitting around giving out traffic camera citations isn't holding water, as MPD had more traffic fines than the city of Norwalk. Craig asked Chief if there were results regarding the email exchanges between Councilman Joe Galea and a citizen whose son had received a traffic camera citation. Chief said he was on vacation when that occurred, but he contacted the gentleman upon his return. Two citations were issued to the gentleman's son, for two different locations. Typically, in this situation Chief will reject one of the citations as he doesn't want to gain the reputation that it's about money when it's really about traffic enforcement. Chief agreed on a fine settlement with the gentleman. Chief said Jonah Mersereau's 6-month probationary period expires

9/20/23. Chief requested Council approve a promotion for Jonah to a Level II Police Officer, at whatever the starting pay rate is for a Level II Police Officer. Chief said the Mayor and Sue Rogers sat in on interviews with candidates for the full-time police officer and part-time police offer positions. Three candidates applied. Chief asked for Council's approve to hire current part-time employee Erik Reinhart as a full-time police officer, with a starting wage of \$23 per hour, start date to be determined upon successful drug & alcohol testing, as well as a physical. Chief asked for Council's approval to hire Logan Gale and Matthew Wilson as part-time police officers, with a starting wage of \$20 per hour, start date to be determined upon completing successful drug & alcohol testing. Chief said when GATSO funds were discussed previously, school safety was also mentioned. Chief said when he thinks of school safety, he thinks of a school resource officer (SRO). Chief would like Council to consider a full-time or part-time school resource officer if funding is available. Chief talked to the school numerous times over the years and they would love to have an SRO, but it's always a question of money. Bob asked what percentage of the GATSO funds has to be used for safety. Bonnie explained it's 19% of the total amount that we send in for the fines that are from the school zones. Sam asked for an annual estimate. Bonnie said the figure can vary every single month because the tax revenue isn't consistent. Bonnie said the average she did over twelve months was \$15,000. The Mayor asked Chief when he last discussed this with the school. Chief said nine months ago, and at that time a private donor was interested in providing funding. The private donor is still interested, but it seems to be a big chunk for them to bite off. The school seems to be more interested now. They were willing to pay our officers a certain rate of pay just for an officer to come in during the day and help out with some of the problem children that need to be set aside for detention. Chief doesn't want to speak for the school, but obviously there is some money that's available. The Mayor agreed it's a good start. Chief said he knows a funding mechanism can be found and he wants to involve the parochial school as well. Bob asked if the county is getting involved with the schools in regards to SRO funding. Chief said the schools do the DARE program, but they pay for it. New London has a school resource officer and word of mouth is that the school pays for the amount of time that the officer is in the school. Chief thinks the New Lonon SRO is making \$20-\$21 per hour, but he isn't sure who is paying benefits. Chief said Council may have heard about money becoming available from the state. Chief said when school shootings occur, there is more posturing to get an SRO into the schools. There's still money for DARE officers and if the Village packages this as a school resource officer/DARE officer, we could make all of these funds come together to get the Village a piece of the pie.

**Solicitor** – Jim Barney discussed the small claim cases for appealed GATSO citations. It's been brought to Jim's attention that Chief isn't allowed to sign the small claims complaints. The complaints have to be signed by Jim's office. Jim, the MPD and the Admin. office are getting a process together for getting the signed complaints to the court along with the \$64 small claims payment that comes from Bonnie's office. There will probably be more changes down the road. Jim is trying to set up a meeting with the Judge to make the GATSO process smoother.

**Mayor** – The Mayor asked Council for a motion in regards to Tom's request for authorization of an internal/external advertisement for a Water/Wastewater Treatment Plant Operator. Sam Wiley made that motion, seconded by Craig Franklin. Motion carried with no discussion. The Mayor asked if she could combine the next two motions into one motion regarding Tom's request to enter into agreements. Bonnie verified it can be done as one motion. The Mayor asked Council for a motion in regards to authorizing the Village Administrator to enter into an agreement with John Bentine, esquire, to facilitate the review of the proposed sale of a portion of the Village transmission system to AMPT, and to authorize the Village Administrator to enter into an agreement with John Coyle, esquire, of Duncan & Allen, to facilitate the review of and the negotiation of agreements with D3 Energy for a floating solar project. Craig Franklin made that motion, seconded by Sam Wiley. Motion carried with no discussion. The Mayor asked for a motion in regards to Bonnie's requisition request for the railroad flagger in the amount of \$3,187.50. Sue Rogers made that motion, seconded by Joe Galea. Motion carried with no discussion. The Mayor asked Council for an emergency motion in regards to Bonnie's requisition request for repair of the sludge pump in the amount of \$6292. Chris Raftery made that motion, seconded by Sue Rogers. Motion carried with no discussion. The Mayor asked Council for a motion to approve Bonnie's request for sewer excusal in the amount of \$107.69 for utility account 03.1110.7. Chris Raftery made that motion, seconded by Sue Rogers. Motion carried with no discussion. Bonnie said that in regards to the requisition for the railroad flagger, she wants to explain how that process works. It's difficult when lining up a railroad flagger. When the Village did the waterline jack-n-bore, we hired the flagger for three days. The construction crew was able to get it done in two days. When Mr. Bores called Bonnie and asked her to cancel the flagger for the third day, she found out that we are required to give the railroad 24hr. notice when cancelling, so we ended up having to pay them \$1200 for a day that we didn't use. When the street resurfacing was done and it was discovered the crew was going to be able to get that done a day ahead of time, Bonnie called the railroad at 8am the same day she found out in order to avoid paying for something we didn't need. The Mayor thanked Bonnie for being on top of that. The Mayor asked Council for a motion in regards to Chief's request to hire Erik Reinhart as a full-time police officer, at \$23 per hour, start date pending a successful drug & alcohol screen, and a physical. Sam Wiley made that motion, seconded by Craig Franklin. Motion carried with no discussion. The Mayor asked Council for a motion in regards to hiring Matthew Wilson and

Logan Gale, as part-time police officers, at \$20 per hour, start date pending a successful drug & alcohol screen. The Mayor asked if she is permitted to address both of them under the same motion and Jim confirmed. Sam Wiley made that motion, seconded by Craig Franklin. Motion carried with no discussion. The Mayor asked Council for a motion to promote full-time police officer Jonah Mersereau to a Level II Police Officer, at the Level II pay rate, effective 9/20/23, upon completing a successful probationary period. Chris Raftery made that motion, seconded by Craig Franklin. Motion carried with no discussion. The Mayor thanked Bonnie and Tom for reaching out and trying to get the situation with 7/11 addressed. The Mayor asked Tom to thank Colton for the update on the training he attended. The Mayor said she's heard really good things about Colton from other departments. The Mayor invited Council and Administration to Night Under the Lights literacy event at Clark Park, on 9/20/23, from 5-6:30pm. Heather asked the Mayor if the school is having food trucks at the event. The Mayor said she is unaware and asked if anyone has turned in a food truck permit for the event. Heather advised no, not as of today. The Mayor said it may just be the concession stand because of the baseball theme. Trinity Lutheran Church (TLC) is having their live nativity the same day as Christmas in the Park, Sunday, 12/10/23. Christmas in the Park is scheduled from 4pm-6pm, and Santa will be attending. The Mayor will be doing the golf cart parade again and would like to talk to Tom and see about the feasibility of a hay ride. The Mayor is going to reach out to both of the schools to see if they can be involved with their choirs again. The Mayor asked Tom to research and see if we have Village employees available for a hay ride. The Council work session is scheduled for 9/26/23, and members of the community who are interested in display banners have been invited. The Mayor is actively in contact with Franklin Monument in regards to the plaque they are working on for the MMC. The Mayor had sent everyone an email about the possibility of a mural in Council Chambers. She had two rough drafts available for review and would like Council to look them over for review and decision. Brandy Goodwin is donating her time and most of the materials, up until if/when she runs out of materials. The Mayor is willing to donate material if they are needed. The Mayor said we have upcoming changes in regards to Mayor and Council members. The Mayor asked if Council is open to advertisement of a Council seat once the sole mayoral candidate achieves his position. Interested parties could submit their letters of interest to Council, and if that is possible, could those persons be sworn in by the end of December with the effective date of 1/1/2024. Sue Rogers is retaining her position, and Mark Miller is running for the seat that is being vacated by Craig Franklin. Joe said Council could do that as an anticipated event. Bonnie said when she ran for Clerk Treasurer previously, she was always sworn in during the month of December with a January 1 effective date. Jim said it's fine to advertise if the write-in time has passed. The Mayor said we could advertise it on the upcoming newsletter, the website and the utility bills. Chris suggested explaining in the advertisement that it's an appointed position rather than an elected position. Jim said Council has thirty days from the date of when a Council seat becomes available to make a recommendation and then if Council doesn't fill the obligation within thirty days, the Mayor can appoint someone. Council can make the recommendation prior to that and there's nothing that prohibits doing so. Joe asked if a special meeting could be held in December and Jim verified and said Council could review the applicants at that meeting. Chris suggested holding a meeting in November and Jim agreed that is a good idea. Jim said it makes more sense to have a meeting after election day and make sure Joe doesn't get beat by a write-in candidate. Council could advertise after that and discuss it at the November meeting, and then set up to appoint someone and get them sworn in during the month of December. The Mayor asked if we could still advertise now and Jim verified.

#### **BOARD AND COMMISSION REPORTS**

Bob Whitacre reported that the H.R.J.F.D. met on 9/6/23. There were ten calls in August, one of which was in the Village. They have a grant for \$196,000 for breathing apparatuses. The Mayor asked if the Fire Department had decided on trick-or-treat and Bob said that should be decided upon next month. Heather advised that Sue Long contacted the Administrative Office and verified that trick-or-treat will be held Sunday, 10/29/23, from 1-2:30pm, with the parade following at 3pm, lining up on West Street. This information will be listed on the upcoming Village newsletter.

#### **ORDINANCES AND RESOLUTIONS FOR SECOND READING**

**Ordinance 2023-16** *An Ordinance rescinding Ordinance No. 01-21, and authorizing and directing the Fiscal Officer to transfer a portion of the funds generated by the implementation of the kilowatt-hour distribution tax from the General Fund to the Electric Enterprise Fund* was presented for second reading. No discussion.

#### **ORDINANCES AND RESOLUTIONS FOR PASSAGE**

The Mayor asked for a motion to suspend the rules for the following legislation. Chris Raftery made that motion, seconded by Craig Franklin. Motion carried with no discussion.

**Resolution 2023-18** *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 Sam Wiley, to adopt Resolution 2023-18 by title only. Motion carried with no discussion.

**Resolution 2023-19** *A Resolution by the Council for the Village of Monroeville, Ohio in the matter of the approval of the solid waste management plan for the Huron County solid waste management district, and declaring an emergency* was presented for adoption. Sam Wiley made a motion, seconded by Sue Rogers, to adopt Resolution 2023-19 by title only. Motion carried with no discussion.

**Resolution 2023-20** *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. Chris Raftery made a motion, seconded by Sue Rogers, to adopt Resolution 2023-20 by title only. Motion carried with no discussion.

**Resolution 2023-21** *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 construction costs, and declaring an emergency* was presented for adoption. Sam Wiley made a motion, seconded by Sue Rogers, to adopt Resolution 2023-21 by title only. Motion carried with no discussion.

**Ordinance 2023-17** *An Ordinance amending or supplementing certain funds for appropriations Ordinance No 2023-05, and declaring an emergency* was presented for passage. Sue Rogers made a motion, seconded by Craig Franklin, to pass Ordinance 2023-17 by title only. Motion carried with no discussion.

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

Sue Rogers made a motion, seconded by Sam Wiley, to approve the bill summary as presented, which included memo expenses and checks # 045331 to # 045434, for a total of \$591,117.63. Motion carried with no discussion.

#### **COUNCIL BUSINESS**

Bonnie said that at the March 2022 and June 2022 Council meetings, the changes with the state regarding CDL licensure were discussed. Colton's temporary CDL license expired six months ago. Colton will be required to have a CDL due to the weight of the bucket trucks. Bonnie said Tom found a CDL class in Willard for \$2000. It's a week's training, fifty hours, from 7am-5:30pm, at the Fire Department in Willard. When this was last discussed, it still needed to be determined as to how the CDL licensure was going to be paid for. Bonnie asked if Council wants the employee(s) to pay for the CDL licensure because it's to their benefit or do they want the Village to pay for it and have it be part of the employee(s) education reimbursement agreement, with the five-year increment plan. The class tuition is \$2000 and testing is \$115. Colton will also have to get a temporary CDL again, which is a \$40 cost. Sue Rogers advised she thinks the Village should pay for it, and follow the tuition reimbursement agreement. Bonnie asked Council to make a motion, as education reimbursement is part of the employee handbook, but the CDL portion isn't listed yet because of the changes with the state. Bonnie called the BMV, and Colton will need to have a separate physical in order to obtain a federal medical card. The physical can be done by any doctor, just as long as the doctor knows what the physical is for. The federal medical card will become part of Colton's record. Heather will then add Colton to the FMCSA database that she tracks through the federal government. Colton will also have to have a separate drug test and test negative. The Mayor said she knows Council shouldn't expect all the employees to run out and get a CDL, but those who get it would benefit the Village and she asked Tom what he thinks. Tom said that Colton and Chadd Nutter are the only ones that don't have a CDL. At this point, Colton would be the best served to take the course and get it out of the way. Chadd will be entering into the water training protocol this month. Administration will push Chadd through the Water I registration and licensing process, then subject him to the CDL training. The Mayor asked if Council needs to be careful of how this is put in the handbook, to make sure it's a need or requirement. Bonnie said she would defer to Jim about this, but the CDL requirement was left in the Electric Department job descriptions that were passed last year. Council took them out of the other position descriptions where a CDL wasn't required. There are five vehicles that qualify for a CDL, including the bucket trucks and the VAC truck. Not all of the employees drive those vehicles. Bonnie asked Jim if Council can just make a motion at this point. Jim thinks something should be added to the handbook eventually that says "upon Council's approval". The Mayor said language could also be added that the Village Administrator says whether or not it affects the job. Jim said Council could add language to the effect of Bonnie approving the expenditure. Sam asked how CDL training differs from any other training. Bonnie said it's all treated the same way, under the same educational reimbursement agreement. Tom said the \$40 temporary CDL license has always been the employee's responsibility, and the renewal cost as well, because it's transportable at that point. Bonnie said Colton already paid \$40 for his first temporary CDL, and now he has to get another one since the first one expired. It's entirely up to Council if they want to pay the \$40 for Colton's temporary permit this time around, but the tuition and testing cost would be

part of Colton’s educational reimbursement agreement. Chris said Colton had to have a temporary one before as there were no classes he could be enrolled in at the time. Bonnie verified that, and said no decision was made at the time to determine what direction Council was going with the CDL licensure cost and Terra Tech had no availability for classes at the time. The upcoming training in Willard is given by Terra Tech, for half the average price. Sam Wiley made a motion to approve the cost of Colton Ott’s CDL licensure, \$2000 for the tuition, \$115 for the testing, as well as the \$40 temporary CDL since Council waited so long to make a decision and Colton’s first temporary CDL expired. Tom said Colton allowed his temporary CDL to expire. Sam said that wasn’t because of Colton. Bonnie said Administration didn’t push Colton to get his CDL. Tom said Colton could have renewed his temporary CDL. Sue Rogers seconded the motion. Motion carried with no further discussion. Discussion regarding the possible mural for Council Chambers. Discussion regarding what wording can be added to the trail signage and where the signage can be placed. More discussion to occur for both the mural and the trail signs at the 9/26/23 work session.

**ADJOURNMENT**

There being no other business to come before them, Sue Rogers made a motion, seconded by Craig Franklin, to adjourn. Motion carried with no discussion. The meeting adjourned at 7:20 PM.

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Heather Alicea, Administrative Specialist

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Melissa Fries-Seip, Mayor

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