

On Tuesday, December 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, Solicitor
Sam Wiley	Gary Lyons, Chief of Police

Also attending: Ann Beck, Lt. Troy Kimball, Mark Miller, Brandi Goodwin, Tammy Schlachter, Travis Seip, Tony Whitacre & his two children, Alysha Galea, Patty Whitacre, Mary Beth, Michelle & Raymond Fries, and Ziyah Piltz from the Attica Hub newspaper (present at 6:04 PM).

The November 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. Sue Rogers made a motion, seconded by Sam Wiley, to approve the agenda as presented. Motion carried with no discussion.

#### **OATH OF OFFICE**

Mayor Fries-Seip administered the Oath of Office to new Mayor Joe Galea, to begin his term 1/1/24. The Mayor administered the Oath of Office to current Council member Sue Rogers, to begin her new term of office effective 1/1/24. The Mayor administered the Oath of Office to new Council member Mark Miller, to begin his term 1/1/24.

Tony Whitacre and his children exited the meeting at 6:05 PM.

#### **PROCLAMATIONS**

The Mayor presented a proclamation to exiting Councilman Craig Franklin for his 9 years of dedicated service as a member of Council, as well as serving on the Safety and Utility Committees, and acting as Council representative for the Shade Tree Commission. The Mayor presented a proclamation to Brandi Goodwin for the 25+ hours of time that she volunteered, along with providing the paint & supplies, towards the creation of a mural for the Village of Monroeville Council chambers. President pro-tem Chris Raftery presented exiting Mayor Melissa Fries-Seip a proclamation for her 14 years of dedicated service to the Village of Monroeville, beginning as a Council member in January of 2010, being appointed Council President pro-tem in December of 2013, and being elected as Mayor in September of 2015, in which she served faithfully, with respect, integrity, and stewardship.

#### **DISPOSITION OF MINUTES**

Craig Franklin made a motion, seconded by Sue Rogers, to approve the minutes as presented from the 11/14/23 regular Council meeting. Motion carried with no discussion.

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

Chris Raftery made a motion, seconded by Bob Whitacre, to approve the November 2023 financial reports as presented. Motion carried with no discussion.

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

Sue Rogers made a motion, seconded by Sam Wiley, to approve the November 2023 credit card report. Motion carried with no discussion.

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

Tammy Schlachter introduced herself and stated that she is interested in the open Council seat. Tammy had previously provided her letter of interest in serving on Council on 11/15/23.

#### **ADMINISTRATIVE REPORTS**

**Administrator** - Tom presented his report that was previously submitted to Council. Tom spoke with the Huron County Public Health Department earlier today. They advised they haven't received any permit filings from 7-Eleven in regards to food service. SafeBuilt, in Huron County, hasn't received an occupancy permit from 7-Eleven. There is no further information to report in regards to the status of the 7-Eleven in

Monroeville. Tom advised that he was going to present something in the 2024 budget request to Council in regards to the purchase of a new z-turn mower for the Street and Parks Department. Typically, the Village buys from John Deere per the state term schedule, which is a negotiated contract by the state and affords a significant discount towards our purchases. Tom would like to jump start this, as the John Deere state term 3 yr. contract, which was originally established in December of 2020, expires this month. Tom's been told by the powers that be that John Deere Corporate may have a 30%-40% increase if the Village waits until 2024 to purchase a z-turn mower. Tom asked Council to authorize a purchase order (PO) in the amount of \$14,474.35 for a new z-turn mower, using the 2023 state term pricing. Bonnie said the last time we purchased a z-turn mower was in 2020, and the purchase price of a new z-turn is only \$1000 more than what we paid in 2020. The list price is \$18,616 and John Deere is offering us a selling price of \$14,474.35. As Council may recall, the auditor made a change a few years ago, which doesn't allow the Village to do carry-over POs anymore. We have to close out all POs by the end of every year. Whatever is leftover on a PO has to be re-issued in January of the new year. Bonnie said that with Council's permission, she can do a new PO now to place the order, close out the PO by the end of the year and then re-create it in January of 2024, so that payment can be made at that time. Chris Raftery made a motion to authorize the purchase order for a z-turn mower, at the purchase price of \$14,474.35, seconded by Sam Wiley. Joe asked Tom if this purchase will replace another piece of equipment. Tom confirmed, and said the old z-turn will be put up for sale on gov. deals or through the county auction. Motion carried with no further discussion. Tom thanked the Mayor for her service.

**Fiscal Officer** – Bonnie presented her report that was previously submitted to Council. As Council is aware, Bonnie is presenting legislation tonight for an income tax Ordinance, which contains the same Ordinance number, but two different sets of language. Council will have to make the decision regarding which one they want to pass. Council can either do away with giving Village residents income tax credit for taxes they pay to another municipality *or* remain status quo with the way we are right now and not take the 1% tax from residents. This has to be effective January 1<sup>st</sup>, 2024, for the 2023 tax year, due to a change in state law. Sue asked Bonnie to verify if this would make a resident who lives in the Village of Monroeville, but works in another municipality and pays taxes to that location, also have to pay taxes to the Village of Monroeville. Bonnie confirmed that is correct. Chris asked Bonnie if she had any kind of percentage to show what the impact of this would be. Bonnie advised no, as we don't get those kinds of reports anymore since R.I.T.A. is now collecting the municipal taxes for Monroeville. Bonnie wanted to remind everyone that the residents who don't currently pay the 1% tax to the Village are using the Village streets, yard waste pick-up, leaf pick-up, street lights, etc., but aren't contributing any tax money. Bonnie doesn't feel great about having to double tax people, but Jim advised her that most municipalities are doing this now. Jim confirmed and he understands how it may seem backwards, but all of the municipalities he works with are taking the tax now. Joe advised that he understands what Jim and Bonnie are saying and he is one of the people who work in another municipality but isn't contributing to the residency tax here. Joe said he thinks it would be difficult to act on this decision tonight as it would give very short notice to people when they file their 2023 tax return. Bonnie reminded Council that they have discussed this several times, with doing a reduction and a credit. Chris asked if this can be decided upon in fiscal year 2025 instead. Bonnie said Council can amend an Ordinance anytime they want to in a fiscal year. Bob said he was under the understanding that Council wasn't going to act on this unless it was a necessity. Bob said it appears our financials are in pretty good shape, between the General Fund and investments. Bob isn't 100% comfortable with taxing people just because other towns have done it. Bonnie said that wouldn't be the reason to do it. Bonnie advised Council that we have multiple projects in the works that will be coming from General Fund expenditures. Sue and Sam reminded Bob of the recent wage increases that also affect the budget. Bob said the Village could always use more money, but he would like to know what that money would be used for. Bonnie said she can get that information for Bob. Bonnie advised that she sent a few emails to Council before tonight's meeting. One of them was in regards to a letter of interest that came in today from Kenneth Bischoff, who is interested in the open Council seat. Steve Palmer submitted a letter of interest to represent the Village MPD as their prosecuting attorney, and his quote is \$3700 less per year than what the Village is currently paying. Steve left a telephone message for Jim today in regards to this, as well as placed a courtesy call to the City of Norwalk Law Director, in the attempt to be as respectful as he can to all parties involved. Bonnie advised Chief he would have a say-so as to who he wants to represent the MPD for their court cases. Bonnie received information from Jefferson Health pertaining to vaccines. Currently, when vaccinations are done, there is an administrative fee that goes along with the charge for vaccinations of any kind. CareMark is no longer going to cover the administrative fee. CareMark doesn't want to have to bill twice, so they are offering a package deal called CareMark Broad Vaccination Network (BVN). There is no implementation charge on the Village's part if we decide to make this part of our network. The company would cover both the vaccine cost and the administrative fee, and pick up both charges at 100%. Bonnie asked for Council's approval to add this to our current plan. Sam asked if there is any downside. Bonnie said not for this year, but we will have to wait and see in June 2024. Chris Raftery made a motion to add CareMark BVN to our current plan, seconded by Joe Galea. Motion carried with no discussion. Bonnie met with Jeff Stopar today, the gentleman who is currently assisting with our Zoning Ordinance. With the recent passage of the marijuana law, it may or may not

affect our handbook, but it affects our zoning. Jeff advised Bonnie that he would like to know if Council is going to prohibit or permit cannabis, and if so, how to regulate it from a zoning perspective. This could be anything from adult cannabis use operators, to prohibiting dispensaries and cultivators, etc. The most controversial thing would be the dispensaries. Jeff recommended making them conditional use, if permitted. Also, he asked that Council keep in mind that the Village can get a 10% cut from the dispensaries, but not for cultivators or processors. Jeff recommended considering processing, cultivators for manufacturing or maybe even commercial, as either permitted or conditional uses. Jeff recommended that Council get ahead of this now, in order to determine how the other property owners feel about it. Bonnie said Council doesn't need to decide on this tonight, but Jeff would like Council to think about it and decide how they feel, as it will need to be added to the Zoning Ordinance. Bonnie reminded Council that dispensaries can't be within 500 feet of many things, like libraries, schools, parks, churches, etc. Chris said a Planning Commission meeting could be held the second Monday of January 2024 for further discussion and decision. Bonnie advised it will need to be decided with a separate piece of legislation from the Zoning Ordinance. Jim added to that, and said what Bonnie is talking about is outlawing or controlling the dispensaries and grow facilities, not controlling use. All of this could also change, as both the House and the Senate are considering bills to change it. Bonnie said the OML bulletin that she previously sent to Council has a lot of information on the subject. The Mayor said that per Bonnie's report, she needs retroactive approval of a purchase order in the amount of \$3953, for catch basin repair on North Main Street, being done by R.A. Bores. Sam Wiley made that motion, seconded by Chris Raftery. Motion carried with no further discussion.

**Chief** – Chief presented his report that was previously submitted to Council. His department is currently at full staff. Erik Reinhart completed Senior BAC Operator school. Chief is prepping for the 4/8/24 solar eclipse. He sent an email to his staff that it will be all hands-on-deck. If the officers aren't available to work that day, they will either work the days before or after in order to relieve the officers who work the day of the eclipse. He anticipates 3-5 officers working around the clock during the event. Chief is still working on the budget for 2024, as well as a cost projection of overtime for the solar event. Chief had brought it to Tom's attention that we may want to start ordering a bunch of no parking signs and if we don't use all of them, we can hand them out to the local businesses to use. Sam said that he saw where photo enforcement citations are down and asked Chief if that's because the cameras are working to slow people down. Chief said yes, it's partially that and because there aren't detours from State Route 99 N anymore. Chief presented a plaque to Craig Franklin that was purchased by the PD staff, for Craig's 9+ years of dedicated service as a Council and Safety Committee member. Chief also presented a plaque to Mayor Melissa Fries-Seip, for her 14 years of dedicated service to the community.

**Solicitor** – Jim Barney had no information to present. Jim advised the Mayor that it has been a pleasure working with her, and that he always admired her courage for jumping in a pond that she didn't know how deep it was going to be or if she was going to be able to get out and that she's done a great job.

**Mayor** – The Mayor thanked the following for donating to and/or helping with Christmas in the Park: Great Lakes Trucking, Twist-n-Shout, Firelands Federal Credit Union, Berry Global, Poggemeyer, Old School Warehouse, Tusing Builders, EHOVE Career Center, H.R.J.F.D., the TLC carolers, Father Chris from St. Joe's for his tree blessing, the Bohne Family Trio, the St. Joe's youth choir, the public school choir, Santa Clause, and all of the Village employees who helped before and during the event. The Village Christmas lights are the talk of the town and the Mayor is so thankful to the employees who help beautify the Village. The Mayor has heard so many times about what a great Village this is, how the employees working in the office are so warm and welcoming, and has received compliments about Tom Gray and how helpful he is. The Mayor said she is proud to be part of this community. The Mayor read a letter to express her gratefulness of being able to serve as Mayor of the Village, and thanked everyone, including her family, for their support in her role as Mayor. The Mayor thanked Tom, Chief and Bonnie for all of the assistance they've provided to her over the years.

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

Bob Whitacre reported that the H.R.J.F.D. met on 12/6/23. There were 6 calls in the month of November, 1 that was in the Village. They are still working on bids for breathing apparatuses, as they are required to have two bids and only have one bid currently.

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

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

Joe asked Jim if the Mayor needs to read both titles for Ordinance 2023-22, in regards to the income taxes. Jim advised it would be best for Council to decide on which one they want to be read. Sam said he thinks the credit given to someone working in another municipality needs to be eliminated. Chris said that she agrees with Sam. Joe said his concern isn't what is necessary or not, but rather not giving residents enough notice for when they file their 2023 taxes. He and his wife pay taxes to other municipalities and if he had the choice, he would rather have the money come to the Village since they utilize the services here.

However, he doesn't want to catch people by surprise and have them owe money right off the bat when they file their taxes. Bonnie said she understands what Joe is saying, but asked Council to reconsider for the next tax year, in order to get some of that money into our coffers, as it belongs here. Bob agreed it needs discussed further before deciding not to give the credit. The Mayor said that many people are living paycheck to paycheck right now, and something like this would hit them hard. Sam and Chris rescinded their prior opinion and agreed with Joe. Bonnie verified it can be discussed next year and decided upon, and make it effective January 1<sup>st</sup> of 2025.

**ORDINANCE 2023-22** *An Ordinance repealing and reenacting the Village of Monroeville's income tax Ordinance to conform with state law and declaring an emergency* was presented for passage. Joe Galea made a motion, seconded by Chris Raftery, to pass Ordinance 2023-22 by title only. Motion carried with no discussion.

**ORDINANCE 2023-23** *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 Sue Rogers, to pass Ordinance 2023-23 by title only. Motion carried with no discussion.

**RESOLUTION 2023-27** *A Resolution authorizing the Fiscal Officer to repay the General Fund the remaining balance of the advancement of funds for the Water System Improvement Project, and declaring an emergency* was presented for adoption. Sue Rogers made a motion, seconded by Sam Wiley, to adopt Resolution 2023-27 by title only. Motion carried with no discussion.

**RESOLUTION 2023-28** *A Resolution authorizing the Fiscal Officer to transfer the remaining funds from the 604 Water Meter Replacement Fund back to the General Fund, and declaring an emergency* was presented for adoption. Chris Raftery made a motion, seconded by Sue Rogers, to adopt Resolution 2023-28 by title only. Motion carried with no discussion.

**APPROVAL OF BILL SUMMARY**

Sue Rogers made a motion, seconded by Joe Galea, to approve the bill summary as presented, which included memo expenses and check # 044599 to check # 045672, for a total of \$623,604.25. Motion carried with no discussion.

**COUNCIL BUSINESS**

The Mayor reminded Council that 2024 requisitions that were sent out to them prior to the meeting need to be approved. Chris asked Bonnie if there is any update in regards to the trail signage. Bonnie said she hasn't heard anything from Foghorn yet, but she will check in with them. Joe asked if Council needs to adjourn to executive session to interview Tammy Schlachter for the open Council seat. Joe thanked the Mayor for her service and for encouraging him to run for Mayor. Joe also thanked other members of Council and his wife for their support. Sam Wiley made a motion to approve the 2024 requisitions that were sent out previously, seconded by Sue Rogers. Bonnie said these are only some of the requisitions, not all of them. Motion carried with no further discussion. Jim suggested not adjourning to executive session, as not all of the Council members have been seated yet, and it would best to wait and have that discussion once all of the Council members are seated. Bonnie asked if emergency legislation can be presented during the first Council meeting of 2024. Jim confirmed emergency legislation can be presented in January 2024, as Sue and Mark were sworn in tonight, and as long as 5 members of Council are present.

**ADJOURNMENT**

There being no other business to come before them, Sue Rogers made a motion, seconded by Joe Galea, to adjourn. Motion carried with no discussion. The meeting adjourned at 7:01 PM.

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Heather Alicea, Administrative Specialist

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Melissa Fries-Seip, Mayor

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