

On Tuesday, July 25, 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:

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| 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 | Gabby Toscano, Village Solicitor |
| Sam Wiley | Gary Lyons, Chief of Police |

Also attending: Lieutenant Troy Kimball, Alex McCoy & son, Jason Zimmerman, Dale Beck, and Wendy Fisher.

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

APPROVAL OF CORRECTED AGENDA

Mayor Fries-Seip asked for Council's approval of the agenda with one correction. Craig Franklin is in attendance for tonight's meeting and doesn't need to be excused. Sam Wiley made a motion, seconded by Sue Rogers, to approve the corrected agenda. Motion carried with no discussion.

DISPOSITION OF MINUTES

Sue Rogers made a motion, seconded by Chris Raftery, to approve the minutes as presented from the June 13, 2023, regular Council meeting. Motion carried with no discussion.

APPROVAL OF THE MONTHLY CREDIT CARD REPORT and 2nd QUARTER 2023 CREDIT CARD REPORT

Chris Raftery made a motion, seconded by Craig Franklin, to approve the June 2023 credit card report and the 2nd quarter 2023 credit card report. Motion carried with no discussion.

APPROVAL OF FINANCIAL REPORTS

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

OPPORTUNITY FOR CITIZENS TO ADDRESS COUNCIL

Alex McCoy presented on behalf of the Huron County Development Council (HCDC). Alex provided a power point presentation handout to those in attendance. Alex advised that HCDC's mission statement is HCDC exists to advance, encourage, and promote industrial, economic, commercial, educational and civic development in the County of Huron, State of Ohio, including all municipal corporations located therein. HCDC is a 501(c)(3) non-profit corporation founded here in Huron County and they are the county's official community improvement corporation. Alex said his board of directors is interested in pursuing a project titled Better Together, in the hopes of securing federal grants to help build communities. He would like to bring community leaders together and form a steering committee to look at what every individual community would like to build. He would like to have a representative from the Village of Monroeville serve on the committee. Alex and his son exited the meeting at 6:15 PM.

Wendy Fisher spoke and said she lives on Hilltop Court. She had trouble opening her pool this year and used an excessive amount of water. When she came into the office to pay her bill, she didn't think it was fair that she had to pay all of the sewage since it was all water usage for the pool. She paid the bill and was told she could go in front of the Village Council to request an excusal. She brought copies of what her usual water usage is and what she used this time. The Mayor asked if this is something that the Village would have verification that nothing went in the sanitary sewer. Wendy said she was advised by the Administrative Office that she would have to have a special meter and they only put those on places that use an excessive amount of water every month. Wendy said she has lived there for twenty years and this is the first time she's really had a problem. She doesn't think she should have to pay all the sewage. Wendy said her bill was \$452 and \$221 of that amount was sewage. Bonnie looked at the bill Wendy had with her and said Wendy used 14,000 gallons of water. Bonnie said it's a difficult thing, as we have many residents who fill their pools and top them off during the summer. Wendy said she understands, but she had a problem opening her pool and therefore used an excessive amount of water. Bonnie said that's the hard part of filling a pool, because we would have to go back in her usage history and see what her typical usage is. A lot of times, when residents call the Administrative Office to say they are going to be filling their pool, we recommend for them to contact a water hauler for price comparison. Wendy said she did

that when she put in her new liner, but this was a rush to get it done. Bonnie looked at Wendy's other bills and said usage of 4,000 gallons is what Wendy typically uses. Last July, Wendy used 6,000 gallons. Wendy said there was a leak this time and she had the water on for eight to ten hours trying to get the pool filled back up. This is the first time she's had an issue with it. The Mayor asked Wendy to let Council review her request and someone from the Administrative Office will reach out to her once a decision is made. Wendy exited the meeting at 6:20 PM.

Jason Zimmerman spoke in regards to traffic camera citations. He bought the lot across the street from Subway, on Sandusky Street. He plans on building his shop offices and headquarters on the lot. When he purchased the lot, Tom Gray helped him figure out the back north right-of-way, which was vacated a long time ago. He said he is here tonight for a few different reasons. The first one being the zoning of his lot. He hasn't been able to get a 100% answer on this from the Zoning Inspector. On the State Route there's a 60ft. right-of-way. On the side street, there's a 45ft. right-of-way, and you split that and go each way. Every other municipality in Northern Ohio does it this way. He's being told there's an additional 20ft., an additional 10 ft., an additional whatever, and no one is giving him an accurate number of what that is. His question is, what is that number and what is that actually for. The state right-of-way is the state right-of-way, the State isn't going to come in and take any more dirt. He needs to know the exact right-of-way. He said Sandusky Street used to be the second State Route 20 and we're dealing with three Route 20's. The first one is the back one which is now out of the picture. The second one, Sandusky Street, and the four lane is number three. The current setbacks of Sandusky Street zoning shows 60ft., and that is wrong, as it should be 45ft. It's now a Street and no longer a State Route. The setbacks should be narrowed up. He would like to ask someone to figure it out, as he needs to be able to move forward with his architect and they can't put any plans in place until they have a plot line. He knows where he wants to put the building. The building isn't going to be in any of the rights-of-way on State Route 99 or Sandusky Street. There's also a question on the sign. He's talked to Zoning Inspector Dave Mahl, who's trying to say it's an additional sixty feet. Jason said he knows that's not right and told Dave so, as he does this stuff every day. Jason said he knows there's 30 feet from State Route 99 and 22.5 feet from Sandusky Street. He needs to know where he can put his business sign, as he doesn't want it sixty feet off the road. The building is already hashed out. The property has been vacated since 1956, so this is a win for everybody. He is getting ready to build a beautiful building with all the amenities, landscaping, etc. However, there's a building down the road that looks like a junkyard. Most places that look like that and are running a business are required to have a fence around the property so that you can't see the mess. The property owner has trucks and cinder blocks sitting just a few feet from the road. Jason asked Council to toughen up on the zoning laws in regards to that property. People shouldn't be pulling into the Village and seeing a property look like that. Jason asked what is being built across the street from that business. Tom said a Store-n-Lock is being built. Jason said that will probably be a nice facility as well, and customers coming into the Village for his business or Store-n-Lock's business shouldn't have to see a property that looks like it belongs in the hood. Jason isn't sure what the owner is doing there and it looks questionable. Another issue that Jason wants to discuss is the parking by his lot and Subway. Trucks were previously parking on his lot for lunch, and Lieutenant Kimball helped Jason with this by putting barricades up to prevent parking. Now the trucks are parking in the road and eating their lunch. Lieutenant Kimball has gone there a few times to take care of that as well. Jason asked Council to put more no parking signs on that road and have more of a police presence there as well. Trucks cannot be park in the road with their four-ways on while eating their lunch, it's against the law to park in the road. They are also blocking the exit for his lot and his view of State Route 20. They are blocking the delivery trucks that need to pull into Jason's lot as well. The final thing that Jason would like to talk about is traffic cameras. He understands there is a need for public safety, he is all for that. What he is not for is bringing up certain things to the Police Chief during a trial, and rules being broken. He's done a lot of digging on this and he wants Council to hear him out. He wants to point a few things out that he doesn't think the Village Solicitor is sharing with Council. Jason said he has taken four or five citations to trial to dispute them. Some of the citations were for his family members and some were for his business trucks. He doesn't always know who is driving his business trucks. He followed his lawyer's advice and took the citations to trial. He was found liable for his personal citations. Judge Weisenberger threw out the citation issued under his company's name because companies can't represent themselves. When Jason put Chief Lyons on the stand, he asked Chief who had exclusive jurisdiction for the tickets. Chief Lyons told Jason on record that he understood the state laws. Jason said not all of the tickets are being filed in the Norwalk Municipal Court, and the court has exclusive jurisdiction over all of the tickets. Every ticket from the traffic cameras has to be filed in the jurisdictional court. There is a \$64 court filing fee per citation. The \$64 filing fee can't be passed onto the motorist unless that camera is in a school zone. None of the current cameras are in a school zone. The court passed the \$64 filing fee to Jason on top of his citation amount. Jason wants Council to really sit down and look at this. The red-light cameras are also an issue. He said Charles Michael White, a former Police Chief here with the Village, received a red-light camera citation for his wife's vehicle. Mike was pretty upset about this, and he came over and timed the light where the traffic camera is located. When a traffic camera is added to a red light, one second is supposed to be added to the red light. Jason and Mike believe that the red light doesn't

follow the state laws, as it's too fast. Public safety requires the yellow light to be on longer. The short time it's on doesn't even allow a driver to get through the intersection before the light turns red. The red-light time may be wrong as well. He said the same thing had to be looked at in Sandusky with the stop light in front of Kalahari needing to be changed to cut down on accidents. Anyone can go to that location and see how long the yellow light stays on. Three months ago, Jason's company was given another ticket. He disputed it and asked for a hearing. There is no record of that citation and he needs to know where it went. The courts have exclusive jurisdiction for a reason. He filed for a civil hearing knowing the court was going to toss it and now there is no record of it. He asked if it didn't get filed because it wasn't a profitable ticket, or was it because he wouldn't have been liable for the \$64 because the court would've thrown it out. He is fine with the traffic cameras as long as they are being done correctly. They aren't being done correctly, and that's why Fox 8 news was here. The Mayor advised that all of Jason's concerns will be looked into. Jason said he has all of the Ohio Revised Codes with him if Council wants to see them. The Mayor said Council has those as well. Heather asked Jason about the citation he said is missing, and asked if he knows the location of where the citation was issued. Jason said he doesn't know, one of the five hundred cameras the Village has he supposes, he knows it came from this Administration. He sent it back with a hearing request and hasn't heard anything since. If the ticket got lost, the court could file a warrant for his arrest. Joe explained that Jason wouldn't receive a warrant, because the citations are civil violations. Jason said he understands that, but it's the principle. Jason said his point is that if the citations were filed in the court like they are supposed to be with exclusive jurisdiction, there would be a record of it. Gabby asked Jason if he has the ORC section that shows every ticket has to be filed with the court and court having exclusive jurisdiction. While Jason was looking through his forms, Joe advised Jason that Council is aware of the property that is down the road from Jason's lot and the issue is being discussed. Joe said in regards to the zoning on Jason's lot, it would all come down to the Solicitor's opinion on the zoning. Tom verified that Jim Barney and Dave Mahl are in discussion about the zoning. Jason provided Gabby with the following: ORC section 4511.21 that shows the \$64 court filing fee cannot be passed to the motorist unless the camera is in a school zone, an ORC section about advanced deposit, ORC section 4511.097 regarding a thirty-day notice, and ORC section 4511.09 about adding one second to the yellow light. Jason said he was pretty heated when he received these citations and said to Gabby that she was the prosecutor during the hearing. Jason said that Village Solicitor Jim Barney is supposed to give Council the right legal advice and keep Council from going down a dark road. He feels as if Jim Barney has failed everyone. Jason said his lawyer was going to write Jim Barney a letter asking him to get rid of the whole system. If Village Council is violating or abusing their power, it's up to the Village Solicitor to tell them to stop or he can file a lawsuit against Council. Jason said he has it all in black and white, a bunch of legal mumbo jumbo, but he doesn't think anything more needs to happen if Council gets their act together. He said Monroeville is like a balloon now, and there are people literally driving outside of the balloon. He said Monroeville employers are hurting for employees and now people don't even want to come into the Village because of traffic cameras. Sam asked Jason about the citations that were thrown out because of being company vehicles, and asked if the drivers were speeding. Jason said he doesn't know if they were or not, then said of course they were probably speeding. He said when he was in court, he asked when the cameras were last calibrated. He said the cameras don't lie, but that's not the point. The point is that the system isn't following the system. Sam said to Jason that the drivers who are speeding aren't following the system either. Jason motioned towards the Chief and said that's why the Village has him, that's why there's a Police Department. The Mayor said all of this will be looked into. The Mayor commented about Jason's balloon comment, and said there are just as many local people who are happy with the cameras and will defend having them, as they don't want speeders going down their street while their children are playing outside. There are just as many residents who are in favor of the cameras. The Mayor said Council isn't being secretive at all about the cameras. Information on the cameras and the locations has been advertised in the newspaper. The Mayor asked Chief to verify how many miles over the speed limit a driver has to be before a citation is issued. Chief said the driver has to be twelve or more miles over for the citation to be issued. The Mayor advised Jason because of that limit, she doesn't feel as if this a money grab. The Village has tried the traffic calming signs that flash a driver's speed to try and slow down speeders. Jason said he understands that, but it needs to be done the right way by filing all of the tickets in court, pay the \$64, make sure the tickets aren't lost in the mail and let the court have exclusive jurisdiction over all of the tickets. Jason said right now, the Village is in a tough spot. Every town in the State of Ohio that has had a lawsuit filed against them has lost. There's a class action lawsuit in Dayton right now. Jason said he wants to clean it up and he understands the Mayor's point about safety. If it's not for profit and it's for public safety, do it right. The Mayor said the Village is doing it right and they are happy to look into Jason's concerns. Joe asked Jason if his trials were recorded. Jason confirmed. Joe asked if Jason has the transcript. Jason said he can't until his lawyer, Andrew Bailey, files for a transcript. Joe said it may be helpful for him as a Councilman to listen to the transcript and understand what went on during the court hearing. Jason motioned to Gabby and said she was there, she was the prosecutor, and most of the questions he asked were about state laws. Jason said he is doing business here; his kids go to high school here and he loves this little Village. The cameras need to be done right. Jason said Judge Weisenberger needs to follow it as well, it's not just Council. He gets aggravated, it's right there in black

and white, and it shouldn't be that hard for the Village Solicitor, Council, or even Lt. Kimball to find it. If one of the police officers pull him or his employees over, they will pay the ticket, he understands how that goes. If the cameras catch one of his drivers, he doesn't keep logs who is driving the vehicle at the time. He said the same goes for his cousin who runs Tusing's. A lot of their employees go around Monroeville in order to avoid the cameras. Bob asked Jason if those people can't drive without speeding. Jason said yes, but that's not the point. Jason asked why a ticket can't be given lawfully. Bob said the PD is still giving tickets out. Jason said he knows that; he saw the PD had pulled a driver over today and he almost fell over when he saw it. Jason said he's here to try and keep everything cool, calm, collected, and that challenging him is not going to get anyone anywhere. It takes one stroke of a pen and a check. Jason then exited the meeting at 6:50 PM.

ADMINISTRATIVE REPORTS

Administrator - Tom presented his report that was previously submitted to Council. Tom would like to add an item. He spends a few hours a week looking at grants and grant proposals. In March, he looked at a grant from the Department of Energy that had to do with grid resiliency and green energy and we didn't qualify at the time. He relooked at it recently and saw the qualifications had changed. He reached out to the Department of Energy to confirm. At the 11th hour, he took a flier and threw a grant application together, working here and at home, and submitted it. The grant showed a July delivery date. While waiting, he lobbied, he pushed buttons and contacted individuals who he knew. He also spoke with Senator Brown's office. On two Saturdays in May and June, Tom traveled to Washington D.C. for Senator Brown's Saturday congressional breakfasts. Last Friday, Senator Brown contacted him directly and told Tom that Senate Energy & Water Resource Committee voted out a \$250,000 grant to the Village of Monroeville. It's going to appear in the 2024 budget. It can be used for grid resiliency and to create the last portal of our automated meter reading infrastructure. That will allow the computers in the office to read meters, to do a disconnect and reconnect, to turn off a non-payor and go forward from there. Tom said he is a bad Andy, as he didn't put it out to Council at the time, he submitted it as he assumed the Village wouldn't get the grant. Out of the monies that were allocated to the State of Ohio and out of the one hundred and some municipalities that applied, we were one of eight that was accepted. The grants range anywhere from \$12,000,000 all the way down to \$250,000. We were at the very bottom of the list. This is going to be news-worthy and will make the papers and television in all the right ways. Council thanked Tom and gave him applause for his efforts. Tom said this was a group effort and that he and Sherrod Brown go back fifty years.

Fiscal Officer - Bonnie presented her report that was previously submitted to Council. Bonnie has five emergency requisitions that she would like to lump together as one motion if Council doesn't mind doing so. The requisitions are: \$4000 for the repair of the B transformer at the Herbert substation, \$7950 for two pressure relief alarm switches and a spare seal-in relay package for the B transformer at Herbert substation, \$6600 for a railroad flagger in order for the S Main Street jack-n-bore can be completed, \$4991.43 for a new computer for the Police Department and \$7500 for the repair of the center high pump at the WTP due to a broken shaft. The Mayor asked Council for a motion to approve all five emergency requisitions. Sam Wiley made that motion, seconded by Sue Rogers. Motion carried with no discussion. Bonnie asked for Council's consideration to purchase a letter folder for \$3,147. The folder would be able to fold the 900 utility invoices that are sent. By doing the math, Council can see that the savings we will make from going from postcards to paper will actually pay for the folder. Chris Raftery made a motion to approve the purchase of the letter folder for \$3,147, seconded by Sue Rogers. Motion carried with no discussion. Bonnie said in her handout, she had included the section of the handbook that addresses termination benefits: *L. An employee who transfers from another public agency to the Village or who is reappointed or reinstated, may be credited, with the approval of Council, with the unused balance of his/her accumulated sick leave provided the time between separation and reappointment does not exceed ten (10) years. "Public agency" as used above, includes the State, counties, municipalities, boards of education, public libraries and townships within the State of Ohio. Documentation of sick leave transfer must be submitted to the Clerk/Treasurer.* When Dustin Crabtree left the Village of Monroeville in December of 2022, he had 763.513 hours of unused sick time. Dustin has asked if his unused sick time hours can be credited to his new payroll record upon his re-hiring. Bonnie asked Council if they would consider transferring his prior unused sick hours to his new account. The Mayor asked if a portion of the hours could be transferred. Bob asked if this situation has occurred previously with any other employees who left and returned. Bonnie said not that she is aware of. We have done transfers of sick time before. Norwalk Ohio Rural Water, Dustin's prior employer, would not accept a transfer of sick time to their payroll records so his unused sick time hours haven't changed. The Mayor asked if Wes was gone more than 10 years when he returned to employment here. Bonnie explained that Wes went to a public entity so he was able to transfer his sick time. Chris said she thinks it would be fair to credit Dustin the hours in full, and she made a motion to credit Dustin Crabtree 763.513 hours of unused sick time, seconded by Craig Franklin. Joe said he is going to vote no. He's not trying to go against anyone, but he doesn't see the rational for it. Joe said he can't take sick time anywhere if he gets re-hired, he doesn't see a reason for doing this, and he's not trying to pick on Dustin by saying that. Chris said going back to the handbook, it

doesn't say specifically on how to administer the sick time, it's a gray area. Bob said Dustin decided to leave and that's the thing that he's been thinking about. Roll call was taken. All voted yea, except Joe Galea, who voted no. Motion carried with no further discussion. Bonnie said the post office issue with the GATSO mailings has been squared up. For the past three weeks, the Village paid for the citation mailings to be sent to Massachusetts. GATSO will reimburse the Village for the postage costs. The Mayor asked how that works. Bonnie said all the mailings are sent to PO Box 157. Once a week, on Friday's, a postal carrier retrieves the PO Box 157 mail and it's forwarded to the citations processing center in Massachusetts. GATSO took care of the PO Box issue so that the PO Box mail can continue. Bonnie said she will wait until after the legislation is passed to approve the last requisition on her list, as the legislation has to be passed first. Bonnie said she knows there is a work session in September in which flags/banners for the Village will be discussed, but she received a quote for banners. The Mayor said anyone is welcome to come to that work session and share information. Bonnie said that on 7/19/23, one of our residents had a waterline leak on their side of the meter in the amount of 20,000 gallons. The Water Department confirmed that no water went into the sanitary sewer system. Bonnie would like to ask Council if \$192.13 of the sewer charges can be excused from utility account # 02*456*8. Chris Raftery made that motion, seconded by Sue Rogers. Motion carried with no discussion.

Police – Chief presented his report that was previously submitted to Council. Chief said in regards to what Jason Zimmerman was saying, Chief makes sure the photo enforcement program is done constitutionally, correctly and above board. If you look at our statistics for red light violations, the average red-light violation is two seconds. If the driver is going 25mph, that is 36 feet per second before the intersection. Jason's contention about the red light is the same as the complaints we received previously. Originally when the state timed it, their recommendation for the 25mph speed limit was two seconds. Through whatever means or whatever happened over the years, we got it up to three seconds. In Chief's view we are in compliance. The Mayor said that when it came into question previously, a semi-truck driver felt it wasn't enough time to stop with a load attached. Chief did the research at that time with the State Highway Patrol and he has checked it every other time there's been a complaint. Joe said to be frank, it's a point worth making that most folks aren't use to red, yellow and green lights with a 25mph speed limit. The faster the speed limit, the longer the yellow light needs to be on. You can't compare the light in front of Kalahari that has a 55mh speed limit with the 25mph speed limit with the light in Monroeville. Lt. Kimball said when the light turns red, the other side doesn't automatically turn red, there is a five second delay before it's all red. Chief said we follow the state recommendations. Joe asked if we have access to the timing mechanism. Tom said the lights are calibrated each year. The lights were recently calibrated and those records were provided to the Police Department. The timing that Chief is referring to is the timing that is in the uniform traffic control signal manual. Signal Services does the calibration for us and they are certified. Chief said with our legal advice, we are going above board. If something changes with the law or with the courts in regards to camera citations, we're on top of it. The court didn't want to handle all of the violations, as it was much easier for us to handle them instead of the court doing it. The only violations that have to go to the court are the contested ones. Gabby verified that as well, which is why she asked Jason for the ORC code citing exclusive jurisdiction. As far she is concerned, there is no ORC code stating every violation has to be filed with the municipal court. It says that the municipal court has exclusive jurisdiction to tickets that have been filed. For example, she can't just pick up a ticket and file it in Ottawa County Municipal Court, it has to go to this specific court in this specific county. The ORC says exclusive jurisdiction, but it doesn't say every single ticket needs to be filed in this court. The ORC says if someone is going to bring this about in a legal manner, it has to go through this court. Chief said we are doing things the right way, and if not, they will change it and keep Council advised accordingly. Bob asked how would we find out if we aren't doing things correctly. Chief said via Ohio Supreme Court rulings, district court rulings and through networks that have other cities and villages that have photo enforcement. The Mayor said that the last time something changed with a code being listed incorrectly, it was changed right away. Chief said if people want to go around town, they can do that, but people who are driving through here need to follow the speed limit. Chief said PD stats are down due to being short-staffed. Chief doesn't have the most current court documents as far as fines, but we are still on the top end of traffic fines and criminal fines, even with being short-staffed. Bob asked if he was wrong with what he said to Jason earlier, and the Mayor said no. Joe verified we are following the law and doing what we need to do. It's constantly challenged and constantly scrutinized, but he is confident that Chief and Jim are doing what they need to do. We always need to go above and beyond in following the law, and take the high road when it comes to being in compliance with the law and with ourselves. Bonine said as far as the \$64 court fee goes, all of the appeals are filed under small claims. You can't file small claims in Norwalk Municipal Court without paying the \$64 filing fee. The Village of Monroeville pays it up front, and asks the person who contested it to reimburse us the \$64. A lot of the time, we don't get reimbursed. Chief said there is nothing in the ORC that says that we can't charge them the \$64. Sam said Jason made a comment that Judge Weisenberger was throwing anything out for business vehicles, and asked if the Judge is doing that for all business vehicles or just Zimmerman's business vehicles. Gabby said she is happy to speak on that and has a chart of all the traffic camera statutes that have been found constitutional and unconstitutional that she can share with Council. There is a statute about not being able to put the \$64

fee onto the defendant. That's not on the Village though, it's on the court. If the court is putting that on the judgment, then the court is following the law. Gabby said her professional opinion is if the statute been brought up in the court of appeals, it would have been unconstitutional anyways. Judge Weisenberger has thrown out all of the citations from businesses, not just Zimmerman's. Chris recommended that some kind of follow-up be done for this in order to address the issue. It was decided that Gabby will compose a letter to Mr. Zimmerman to address his concerns about the traffic cameras. In regards to his questions about the zoning issues, Tom said Dave Mahl and Bonnie recently qualified the setbacks of his lot and the map was determined to be available at the county. It's a matter of Mr. Zimmerman not returning Dave Mahl's phone calls because both of them are bull-headed. However, Tom will see to it that communication happens. In regards to Mr. Zimmerman's comment about Law Properties down the road, Jim and the MPD are looking into that issue to see if that business can be pushed out. The owner has two to three operations he is running from the location and it seems a little sketchy. There are trucks right up on Sandusky Street that are on blocks. There is no zoning that allows the Village to enforce these issues. Joe recommended making this a work session topic to discuss later. Sue recommended making it a topic for zoning as well. Bonnie said there are sections of the Ordinance that address property maintenance, and maybe that can be addressed with the gentleman who is helping us with the zoning. Chief said Nick Meyer just completed CIT training. He has three full-time applications and is hoping to present something to Council soon. Erik Reinhart is working out nicely. There was an active shooter drill a week ago. Safety Town is the week of August 7th, from 5pm-7pm and Jonah Mersereau will be running it. Bob asked how schools get resource officers and who funds it. Chief said some schools fund it themselves and there's been talks about securing a grant from the state. Chief thinks it would be a great addition here in the Village while bringing the Dare program back at the same time. The Mayor mentioned that Chief's contract expired and she would like to offer him his next 2yr. contract, at \$34 per hour instead of \$33.62. He will still retain the same number of vacation weeks. The Mayor would like that in the form of a motion while determining when the \$34 per hour takes effect. Chris Raftery made a motion to approve Chief Lyons 2yr. contract at \$34 per hour, effective 7/24/23, seconded by Joe Galea. Motion carried with no discussion. The Mayor asked for discussion regarding a motion the utility position job description. Bonnie advised that was already passed at a previous meeting. Tom said they are getting the elements in place to move an individual to that position full-time, which brings into play another employee in the WTP. The Mayor asked for discussion regarding Wendy Fisher's request for partial excusal of her bill due to the issue with her pool. Bonnie is concerned about setting a precedent as a lot of residents have pools. Last July, Wendy used 6,000 gallons, so it's a difference of 8,000 gallons used. Heather said that the day Wendy came in to the Administrative Office to request an excusal, another resident, who is the spouse of a Village employee, came in and paid almost \$500 on their utility bill. That resident had also mentioned there was a problem with their pool liner which resulted in lost water; however, they understood they had to pay it and did so without question and without asking for an excusal. If Council excuses some of Wendy's bill, are they also going to reach out to this other resident that had a pool issue and offer them an excusal as well, because doing so sets a precedence. Bonnie said Council has only excused this one other time, for Dave Schibley, and we lost on that issue. Sam said he has had this issue as well, and recommends having the water hauled. Bonnie said she hasn't done the math yet with the new water and sewer rates to compare to a water hauler. Discussion. Chris Raftery made a motion to deny the request for sewer excusal for Wendy Fisher, seconded by Joe Galea. Sam asked if there is a solution for future residents with the same issue, perhaps having the meter read before filling a pool. Bonnie reminded him that reading the meter would cause a trip charge. Chris recommended putting it in the newsletter that sewer excusals can't be done for pools. Heather said it can be added to the communication box on the new utility bill. Bonnie advised it can be put on the website as well. Motion carried with no further discussion. The Mayor thanked Heather for her write-up about the recent conferences she attended, and she appreciated Colton Ott's as well. The Mayor said one thing in Heather's write-up that she appreciated was a training session for new Council members and would like to look into this and include the Planning Commission as well.

Solicitor – Gabby Toscano from Kocher & Barney presented on Jim Barney's behalf. Gabby is confident that the Village isn't violating any laws in regards to the traffic cameras. Gabby has done extensive research and will share the chart she created about constitutional vs. unconstitutional statutes. It sounds as if Mr. Zimmerman's concerns are mostly with the court and that is not necessarily our issue. His avenue for that would be to file an appeal with the Court of Appeals. It's up to Council to address the issue with the Judge not moving forward with appealed citations from businesses. Our avenue for those is to appeal them. She is in agreement with writing a letter to Mr. Zimmerman, but wants Council to understand that a lot of his concerns are with the court and he has an avenue in which to address those. Gabby has extensively researched the exclusive jurisdiction issue and she has yet to find something that says every ticket has to be filed with the Norwalk Municipal Court. She said every law is legal until it's challenged. Mr. Zimmerman could challenge the laws, and he has an avenue to do so if he wishes. Joe asked Gabby if she's familiar with any cases where the municipality was forced to pay back the filing fee. Gabby verified she has not seen anything like that in any court judgments. Gabby said she will compose a letter to Mr.

Zimmerman. Gabby has been doing these cases since November 2022 and we've only lost one, so that can attest to the legality of the issue.

Mayor – The Mayor said Kevin Rasnick, from the Huron County Chamber of Commerce, will be joining us at the 8/8/23 regular Council meeting. It would be good to have a Village employee or Council member join the steering committee for the collaboration with HCDC.

BOARD AND COMMISSION REPORTS

Bob Whitacre reported that the H.R.J.F.D. met on 7/5/23. New water and sewer rates were discussed.

Chris reported the Planning Commission met on 7/10/23, to discuss a Conditional Use Permit request from Braucher's Village Meat Market, owned by Josh Braucher. The location will be in the old Trendsetter building. Bonnie verified Josh obtained a letter from Chris Carroll, the owner of the building. Chris verified his understanding for the use of the property and the letter was made part of the file.

ORDINANCES AND RESOLUTIONS FOR PASSAGE

Chris Raftery asked for a motion to suspend the rules for the following legislation. Joe Galea made that motion, seconded by Sam Wiley. Motion carried with no discussion.

Ordinance 2023-14 *An Ordinance amending, reducing 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 2023-14 by title only. Motion carried with no discussion.

Resolution 2023-15 *A Resolution authorizing the Fiscal Officer to advance monies from the General Fund to the Body-worn Camera Grant Fund, and declaring an emergency* was presented for adoption. Sam Wiley made a motion, seconded by Joe Galea, to adopt Resolution 2023-15 by title only. Motion carried with no discussion.

Resolution 2023-16 *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. Sam Wiley made a motion, seconded by Sue Rogers, to adopt Resolution 2023-16 by title only. Motion carried with no discussion.

Resolution 2023-17 *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. Sue Rogers made a motion, seconded by Joe Galea, to adopt Resolution 2023-17 by title only. Motion carried with no discussion.

Ordinance 2023-15 *An Ordinance to approve the form and authorize the Village Administrator to execute the ATSI delivery point study and construction agreements, and declaring an emergency* was presented for passage. Sue Rogers made a motion, seconded by Sam Wiley, to pass Ordinance 2023-15 by title only. Motion carried with no discussion.

APPROVAL OF BILL SUMMARY

Sue Rogers made a motion, seconded by Craig Franklin, to approve the bill summary as presented, which included memo expenses and checks # 045163 to # 045252, for a total of \$823,457.66. Motion carried with no discussion.

COUNCIL BUSINESS

The Mayor asked Council for a motion in regards to Bonnie's request in her report, the \$18,000 requisition to First Energy/AMP for the scope of work needed for the load addition. Bonnie said since Council passed the Ordinance to enter into that agreement, the motion can now be made for the requisition. Sam Wiley made that motion, seconded by Joe Galea. Motion carried with no discussion. Chris asked where we stand with the Rails to Trails signage. Bonnie said it's up to Council what they want printed on the signs and what businesses Council wants them to be attracted to, as the price and size are already settled. The Mayor cautioned against naming businesses on the signs, but rather have them point towards food and lodging. Bonnie said Wakeman has arrows on theirs pointing in the direction of businesses. Bonnie asked Council to think about it and it can be discussed at the next meeting. Bonnie will get sample signs. Chris said it can be voted upon at the next meeting. Sam asked where we are with the dedication plaque. Bonnie verified the vendor has been paid. The Mayor said she is waiting to hear back from the vendor. The Mayor said she is in talks with someone about painting a mural in Council Chambers. The woman she spoke with is creating a sketch for the Mayor to provide to Council. Her services are free of charge, except for the paint, which would be minimal charges. If she has the paint, she won't charge Council. Bonnie asked if Council is in favor of a mural. Chris said Council would like to view the sketch first and then make a motion.

ADJOURNMENT

There being no other business to come before them, Craig Franklin made a motion, seconded by Joe Galea, to adjourn. Motion carried with no discussion. The meeting adjourned at 8:15 PM.

Heather Alicea, Administrative Specialist

Melissa Fries-Seip, Mayor

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