



## Village of Milan

### Regular Council Meeting

**March 24, 2021**

The March 24, 2021 Regular Council Meeting was called to order with the Pledge of Allegiance by Mayor Pam Crosby.

Roll call: Rospert – yes, Taylor – yes, Shafer – yes, Deland – yes, McIlrath – yes, Bickley – yes.

Also, present: Mayor Pam Crosby, Fiscal Officer Cathy Ramey, Administrator Brian Rospert, and Attorney Jim Barney.

Motion by Bickley, seconded by Deland, to approve the Minutes of the February 24, 2021 Regular Council Meeting. Roll Call: Bickley – yes, Taylor – yes, Shafer – yes, Deland – yes, McIlrath – yes, Rospert – yes.

Motion by Deland, seconded by Rospert, to approve the Minutes of the March 11, 2021 Council Work Session. Roll Call: Deland – yes, Taylor – yes, Shafer – yes, Rospert – yes, McIlrath – yes, Bickley – yes.

Motion by Rospert, seconded by Shafer, to approve the Council bills for the period of February 14<sup>th</sup> – March 24<sup>th</sup>. Roll Call: Shafer – yes, Deland – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor - yes.

Motion by Bickley, seconded by Shafer, to approve the Utility bills for the period of February 24<sup>th</sup> – March 24<sup>th</sup>. Roll Call: McIlrath – yes, Taylor – yes, Shafer – yes, Deland – yes, Bickley – yes, Rospert – yes.

#### **CITIZEN PARTICIPATION**

Kim Ott, of Y3 Studio – Yoga for Mind Body & Soul located at 1 N. Main Street, would like to use the Village Square during the months of May through September on Tuesday's and Saturday's during the hours of 9:00 AM to 10:00 AM, to host yoga classes. She is aware of the insurance requirements and will provide this to the Village.

Motion by Rospert, seconded by Shafer, to allow Y3 Studio – Yoga for Mind Body and Soul, to use the Village Square during the months of May through September on Tuesday's and Saturday's during the hours of 9:00 AM to 10:00 AM, to host yoga classes

Roll call: Deland – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes, Shafer – yes.

Denise Reilly, on behalf of the Edison Music Department and students, would like to use the parking lot behind Jim's Pizza Box for this year's Melon Festival Weekend. All the proceeds from this year's parking lot event will help provide new instruments for the high school band.

Motion by Deland, seconded by Shafer, to allow the Edison High School Music Department to utilize the parking behind Jim's Pizza Box during this year's Melon Festival Weekend.

Roll call: Rospert – yes, Taylor – yes, Shafer – yes, Deland – yes, McIlrath – yes, Bickley – yes.

## **OLD BUSINESS**

### **Streets, Sidewalks and Storm Sewers – None**

**Safety** – ODOT removed eight trees on S. Main for the Safe Routes to School Project. The Resolution between ODOT and the Village of Milan for the construction of sidewalks, Fiscal Officers Certification for Safe Routes to School in the amount of \$26,271.52 and the Contract by and between the State of Ohio and the Village of Milan for the Safe Routes to School Project were submitted and approved by ODOT.

### **Finance – None**

**Regional Planning, Building Codes & Inspection** – Case Trial involving 103 S. Main Street is scheduled for May 10, 2021 in Erie County Common Pleas Court.

The Planning Commission held a Continuance Meeting on March 18<sup>th</sup> to consider solar arrays; The Commission moved to have the Village Solicitor draw up an Ordinance to reflect that only roof mounted solar arrays that cannot be seen from the street are the only permitted uses. Once the Ordinance is completed, another Continuance Meeting will be scheduled to review and approve.

350 Melanie Lane; Property Maintenance, the Zoning Inspector reports that he continues to work with the resident on the condition of their detached garage. As of this date, the Zoning Inspector has not heard back from the resident on his insurance claim. However, he is getting a new roof installed on his house this week.

The Design Review Board held a Continuance Meeting on March 9<sup>th</sup>, for 47 E. Front Street for exterior cosmetic changes to the structure. The Board approved of the design concepts and recommended to have the Board of Zoning Appeals consider the second-floor window awnings, and light fixtures, a Variance request for a 28" maximum projection over public sidewalks for second-floor window awnings (3) and light fixtures (2).

**Utilities** – The North Substation Phase I Electric Transformer Project; continues on schedule with a completion date in May, weather permitting.

On March 5<sup>th</sup> the Village was informed by the Ohio EPA that the application to Ohio's EPA Diesel Mitigation Trust Fund to support the installation of the level 2 charging stations for

electric vehicles was approved for the full requested amount of \$15,000.000 for two ports. The Ohio EPA will send out award letters and contracts for signatures in the near future.

**Civic Contacts and Historical Preservation** – The tree in the Village Square was removed on Monday March 15<sup>th</sup> and the stump was ground out Tuesday making the area ready for the Milan Garden Club purchase of an October Glory for the “Recovery Tree” which was able to be planted Tuesday. A dedication ceremony by the Milan Garden Club will be sometime in early May.

**Parks and Tree** – Roe’s tree service was in trimming Village trees. By the request of a resident there were a couple trees on village property in Pawnee Drive that needed trimming, these trees were also trimmed then during this time.

**Records Commission** – Records Commission Meeting will be scheduled June 2021.

**Citizens Property Maintenance** – None

**Communications** – None

### **NEW BUSINESS**

**Streets, Sidewalks and Storm Sewer** – Cold patched potholes, serviced equipment, repaired damage from snow plowing, assisted the other departments.

**Safety** – AMP did a Bucket Truck Rescue training for the Electric, Water/Waste Water and Street department employees. The new lineman was certified that day.

Fire Safety Equipment was in and did the annual extinguisher checks.

**Finance** – Fiscal Officer Cathy discussed the information in the Council binders, which include Bank report, Statement of Cash and check listing. She has been working diligently on the appropriations and will possibly have other changes. Ramey also stated she is working on the Revenue to rework it based on county auditor. She will be cleaning up the account numbers to reflect the appropriate accounts so that moving forward the accounts are in line and a goal eventually will be a breakdown spreadsheet on salaries, showing payroll costs, salary costs and based on the Village Ordinance on how it should be charged. Discussion also involving investment options of local banks and temporary versus permanent budget at calendar year end. Council President Rospert spoke briefly about the Finance meeting that was held on Monday March 15, 2020. Fiscal Officer asked the committee to approve the upgrade of the SSI software for a total cost of 48,500.00. Administrator Rospert recommended James Finnegan Company for the project, Sledge Drying Bed Rework for total cost of \$38,503.00 with a possibility of adjustments that Administrator Rospert will address. A need to replace a fire hydrant at the corner of State Route 113 East and Front Street, Administrator Rospert recommends RA Bores to do the project for a total of \$6538.34. Council President Rospert stated that the committee decided that the three projects would come out of Capitol Improvement Fund and to move forward on these three projects as they were presented. Council President Rospert also asked Fiscal Officer Ramey for an update on a Budget Stabilization Fund which was proposed at a previous meeting. Fiscal Officer Ramey researched and discussed what she found and this will be reviewed again at the next Finance Committee.

Administrator Rospert made note that there was an error on the side of the proposal from James P. Finnegan Construction, Inc. in the amount of \$10,000.00. He then stated that later in legislation there will be a motion to reject the updated bid from that contractor and to accept the proposal for \$44,800.00 from Shortridge Construction LLC.

**Regional Planning, Building Codes & Inspection** – Larry Schell submitted his resignation from the Village of Milan Board of Zoning Appeals and Design Review Board effective immediately. Motion by Shafer, seconded by Taylor, to accept Larry Schell’s resignation from both the Board of Zoning Appeals and the Design Review Board.

Roll Call: Taylor – yes, Shafer – yes, Bickley – yes, DeLand – yes, McIlrath – yes, Rospert – yes.

Motion by Bickley, seconded by Rospert, to accept Mayor Crosby’s recommendation to appoint Fritz Berckmueller to the Design Review Board, to fill the unexpired term of Larry Schell, December 31, 2022.

Roll Call: McIlrath – yes, Taylor – yes, Shafer – yes, DeLand – yes, Bickley – yes, Rospert – yes.

Motion by Deland, seconded by Taylor, to accept Mayor Crosby’s recommendation to appoint Jeff Huber to the Board of Zoning Appeals, to fill the unexpired term of Larry Schell, December 31, 2023.

Roll Call: Rospert – yes, Taylor – yes, Shafer – yes, DeLand – yes, McIlrath – yes, Bickley – yes.

Motion by Deland, seconded by Rospert, to approve three (3) second-floor window awnings and two (2) goose neck lights to overhang a public right-of-way, referenced in Chapter 1186.03, subsection (c), with a maximum of 28”.

Roll Call: Shafer – yes, DeLand – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

**Utilities** – performed required EPA testing, general maintenance on equipment and auto-dialers, began work on the Consumer Confidence Report and collected samples for required EPA tests for chlorine disinfection byproducts.

Motion by Deland, seconded by Shafer, to reject the updated bid proposal of James P. Finnegan Construction, Inc in the amount of \$48,503.00 and accept the proposal of Shortridge Construction LLC in the amount of \$44,800.00 for the Wastewater Treatment Plant Phase IV Improvement to repair the sludge drying beds.

Roll Call: Bickley – yes, Taylor – yes, Shafer – yes, DeLand – yes, McIlrath – yes, Rospert – yes.

**Civic Contacts** – None

**Parks and Trees** – Mayor Crosby read over the Beautification Commission meeting notes that was held on February 26<sup>th</sup> to discuss the committees 2021 plans. Al Buggele was elected President and Marcia Scott elected as Secretary. As of the meeting date the Beautification Commission has a total of \$5093.46 in the account. Their plan, to install flood light for Lockwood Park sign, electric outlets at the Gazebo in Lockwood Park and \$500.00 is allocated for this project. Also for the Lockwood Park Gazebo, a purchase of a pre-lite Christmas Tree with a top of an Arabian Star, \$300.00 allocated for this purchase and purchase of garland and lights to wrap around the Village Administration Building and to add lights on bushes at

Lockwood Park \$1200.00 is allocated for this purchase and install swags on the 18 Village light poles around the square and the four light poles at Lockwood Park, the Commission is presently looking at pricing for this project.

Al Buggele will attend the Milan Township Meeting and present to the Milan Township Trustees that the commission would like to purchase battery operated candles for each window in the Milan Township Town Hall (yet to be determined) and continue with the lighting in the Village Square and Gazebo as in the past. The Milan Garden Club will be replacing the buntings around the Village Square Gazebo and will also put bunting around in the Lockwood Road Gazebo.

Motion by Rospert, seconded by DeLand, to approve of the Village of Milan Beautification Commission's 2021 Plan, as presented.

Roll Call: DeLand – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes, Shafer – yes.

**Records Commission – None**

**Citizens Property Maintenance Commission – None**

**Communications – None**

**Review of Rules of Council – Motion by Rospert, seconded by DeLand, to approve the Rules of Council.**

Roll Call: DeLand – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes, Shafer – yes.

Motion by Bickley, seconded by Rospert, to enter into Executive Session to discuss pending litigation. Roll Call: Taylor – yes, Shafer – yes, Bickley – yes, DeLand – yes, McIlrath – yes, Rospert – yes.

Motion by Rospert, seconded by Taylor, to return to Regular Session.

Roll Call: DeLand – yes, Bickley – yes, Rospert – yes, Taylor – yes, Shafer – yes, McIlrath – yes.

## **UNFINISHED BUSINESS**

Reopening of the Village Council meetings to the public was discussed. However, due to the county still in the red, Council will revisit this possibility again at a later meeting.

## **LEGISLATION**

Ordinance – Next Number will be 790-03-21

Resolution – Next Number will be 612-03-21

## **AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR CALENDAR YEAR 2021 FOR THE VILLAGE OF MILAN, OHIO**

Motion by Rospert, seconded by Taylor, to suspend the rules.

Roll Call: Bickley – yes, Taylor – yes, Shafer – yes, DeLand – yes, McIlrath – yes, Rospert – yes.

Motion by Rospert, seconded by Shafer, to adopt by title only.

Roll Call: Taylor – yes, Shafer – yes, Bickley – yes, DeLand – yes, McIlrath – yes, Rospert – yes.

**AN ORDINANCE TO PROVIDE FOR ADDITIONAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES AND AN INCREASE IN ESTIMATED RESOURCES AND FURTHER APPROVING CASH TRANSFERS BETWEEN FUNDS, AND DECLARING AN EMERGENCY**

Motion by Bickley, seconded by DeLand, to suspend the rules.

Roll Call: Shafer – yes, DeLand – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

Motion by DeLand, seconded by Shafer, to adopt by title only.

Roll Call: DeLand – yes, Taylor – yes, Shafer – yes, Rospert – yes, McIlrath – yes, Bickley – yes.

**AN ORDINANCE REPEALING ORDINANCE 787-01-21 AND ENACTING THIS ORDINANCE RELATIVE TO THE COMPENSATION OF THE VILLAGE EMPLOYEES TO CHANGE THE WAGE STRUCTURE OF A FULL TIME VILLAGE ADMINISTRATOR AND DECLARING AN EMERGENCY**

Motion by DeLand, seconded by Taylor, to suspend the rules.

Roll Call: McIlrath – yes, Taylor – yes, Shafer – yes, DeLand – yes, Bickley – yes, Rospert – yes.

Motion by Bickley, seconded by Taylor, to adopt by title only as an emergency.

Roll Call: Rospert – yes, Taylor – yes, Shafer – yes, DeLand – yes, McIlrath – yes, Bickley – yes.

**AN ORDINANCE AUTHORIZING AND DIRECTING THE FISCAL OFFICER TO EXPEND NOT MORE THAN \$100,000.00 FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR SOFTWARE SOLUTIONS UPGRADES FOR THE FISCAL OFFICER, PHASE IV OF THE UPGRADES AND REPAIRS TO THE WASTEWATER TREATMENT PLANT, REPLACING A FIRE HYDRANT AND DECLARING AN EMERGENCY**

Motion by Taylor, seconded by DeLand, to suspend the rules.

Roll Call: Taylor – yes, Shafer – yes, Bickley – yes, DeLand – yes, McIlrath – yes, Rospert – yes.

Motion by Rospert, seconded by DeLand, to adopt by title only as an emergency.

Roll Call: Shafer – yes, DeLand – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

Mayor Crosby received an oral resignation from the Street Superintendent Brian Rospert.

Motion by Deland, seconded by Shafer, to accept the resignation of Street Superintendent Brian Rospert and to appoint Brian Rospert as a full time Administrator. Roll Call: Shafer – yes, DeLand – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

**Questions for Next Meeting** - None

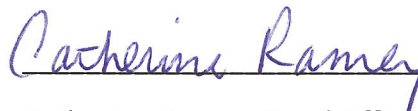
**Adjournment**

Motion by Deland, seconded by Rospert, to adjourn tonight’s meeting.

Roll call: Deland – yes, Taylor – yes, Shafer – yes, Rospert – yes, McIlrath – yes, Bickley – yes.



Carla Rospert, Council President



Catherine Ramey, Fiscal Officer