

Village of Milan

Council Meeting

February 23, 2022

February 23, 2022 Council Meeting was called to order with the Pledge of Allegiance by Mayor Pam Crosby.

Roll call: Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Bickley – yes. Also present-Fiscal Officer Catherine Ramey, Administrator Brian Rospert.

Mayor Crosby excused Solicitor Barney at today's meeting due to a schedule change.

Motion by McIlrath, seconded by McManus to approve the Minutes of the January 26th Regular Council Meeting. Roll Call: Bickley – yes, Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Rospert – yes.

Motion by Rospert, seconded by Bickley, to approve the Minutes of the February 10th Work Session Meeting. Roll Call: McManus – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes, Shafer – yes.

Motion by McManus, seconded by Shafer, to approve the Minutes of the February 15th Special Council Meeting. Roll Call: Taylor – yes, Shafer – yes, McManus – yes, Bickley – yes, McIlrath – yes, Rospert – yes.

CITIZEN PARTICIPATION – None

OLD COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers – The Grant for the Solar Radar Speed Limit Feedback Signs on South Main is almost completed, the Village is waiting for the Engineers Certificate of Estimated Costs to complete the application that is due February 25, 2022.

Safety – Safe Routes to School Project final close out of the project to take place late spring to early summer. In the spring, the standing water in the curb ramp at the NW corner of SR 113 / SR 601 will need to be addressed.

Employees in Street, Electric, Water, Utilities, and the Mayor attended AMP Safety/OSHA Compliance Training February 9th on Slips, Trips and Falls.

OLD COMMITTEE BUSINESS

Finance – None

Regional Planning, Building Codes & Inspection – Board of Zoning Appeals Hearing held on February 8th, denied the Variance Request from Edison Birthplace to install a ground mounted solar array on a separate parcel and to feed three structures with solar power.

A recommendation from the Zoning Inspector to have the Planning Commission amend Section 5 (f) and (i) of the Solar Energy Systems Ordinance due to a conflict in administration. In subsection (f) the Electric Department cannot issue an Interconnection Agreement until zoning approves of the solar application and in (i) payment of fees as required by the Village of Milan's Interconnection Agreement, Building, Electrical and Zoning Permits. These applications cannot be issued until after the zoning permit is issued.

The Zoning Inspector also recommends having the Planning Commission amend Section 1103.05 Triggering Mechanism for Design Review of the Design Review Regulations Ordinance. Section 1103.05 the trigger mechanism for Design Review requires the occupant to apply for a building or zoning permit to trigger the Design Review Board. However, there are many cases that do not require a building or zoning permit. Per Chapter 1137 Zoning Amendments: No amendment shall be effective unless it shall be first be submitted to the Village Planning Commission for its review and recommendations.

Motion by McIlrath, seconded by Rospert, to have the Planning Commission review and make recommendations to amend the Solar Energy Systems Ordinance; specifically, Section 5 (f) and (i), and amend the Design Review Regulations Ordinance; specifically, Section 1103.05 Triggering Mechanism for Design Review. Roll Call: Shafer – yes, McManus – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

Utilities – Sleepy Hollow electrical upgrades and Phase II electric upgrades continue. Buckeye Pumps is scheduled now for March to rehab the lift station at Johns Manville, due to equipment and material shortages,

Civic Contacts and Historical Preservation – None

Parks and Trees – None

Records Commission – Records Commission meeting will be held in June.

Citizen Property Maintenance - None

NEW COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers – Snowplow cutting blade on the Sterling Dump Truck broke loose, Alta Equipment made repair and American Diesel repaired the exhaust leak. A new cutting blade was added on the 2012 Ford F-550 plow.

Approximately 180 tons of road salt is still in reserve.

Village has received thank you letters from two residents, Marilyn Knechtges of Willow Drive for the “No Outlet” sign on the corner of Willow and Cherry. She especially thanked Council President Carla Rospert for her prompt action in bringing this to the attention of others to get this done and another thank you letter from resident Jeff Geason for the outstanding job the Village did plowing the snow from the streets.

Safety – Councilperson McIlrath spoke on the new legislation the Village is in the process of creating. “Designated Outdoor Refreshment Area” The proposed legislation would allow establishments that sell alcohol the opportunity to provide to-go containers which would allow the guest to take their beverage outside and into the designated area. The area would consist of the park and signage would be in place to direct entry and exit points. Once the application is made, the legislative authority shall post public notice of the application and make it available for inspection during normal business hours. A minimum of four permit holders are needed in order to participate. Legislation, if approved will be ready in time for the spring and summer months. Mayor Crosby read a letter to Council explaining that DORA would be another effective tool to add flexibility to events in the DORA as well as increase vibrancy and attraction to the area. The DORA currently has established restaurants, bars, entertainment facilities and other business. DORA in this area would be in accord of the Village’s zoning map. There is currently at least four (4) qualifying liquor permit holders in this particular area.

Councilperson McIlrath read a letter from Chief Meister regarding the resignation of Officer Pofok effective March 1st. Officer Pofok has accepted a full-time position with the University of Akron Police Department.

Motion by McManus, seconded by Rospert, to accept the resignation of part-time Officer Pofok from the Milan Police Department. Roll call: Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Bickley – yes.

Motion by McManus, seconded by McIlrath, to direct the solicitor to draw up necessary legislation and materials needed in order to start the new DORA application. Roll call: Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Bickley – yes, Rospert – yes.

Motion by Bickley, seconded by McManus, to authorize Chief Meister to apply for a grant from the State of Ohio for body cameras for the Milan Police Department. Roll call: Shafer – yes, McManus – yes, McIlrath – yes, Bickley – yes, Rospert – yes, Taylor – yes.

NEW COMMITTEE BUSINESS – cont.

Safety – cont. – Administrator Rospert noted to Council that under legislation there is a Resolution sponsoring the Village of Milan to update the School Travel Plan (STP) utilizing Safe Routes to School Funding, and to have ODOT update the Village’s STP. In order to apply for future infrastructure/non-infrastructure projects, the plan needs to be updated every 5 years. Administrator Rospert has been working with Edison Elementary to get information put together to apply for the funding. The grant is due March 5, 2022.

Administrator Rospert made Council aware that he and Chief Meister had discussed whether the Village should continue the Temporary Encroachment of a Public Right-of-Way for the Purpose of 2022 Sidewalk Dining/Outdoor Alcohol Consumption Permit for this year and they both feel like the Village should.

Motion by McIlrath, seconded by Shafer, to allow for the 2022 Temporary Encroachment of Public Right-of-way for sidewalk dining/outdoor alcohol consumption. Roll call: Bickley – yes Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Rospert – yes.

Finance – Fiscal Officer Cathy Ramey discussed her reports given to Council, statement of cash, bank reports and bank reconciliation are in balance. She noted that compared to January of last year to this year, revenue is up slightly. Discussion and a few highlights on tonight’s Budget Ordinance. The changes in the Estimated Recourses reflect an increase of \$15,000.00 for Charging Station, \$5,000.00 for Jenkins Warehouse and a decrease in the amount of \$8,863.85 for Transfers. The changes in the Appropriation reflect an increases of \$20,000.00 other operating expenses in the General Fund for \$6,500.00 for account renumber services due to computer software upgrade and additional cost associated with the administrative building. Other increases include, \$20,000.00 increase in Other Operating in the Electric Fund, increase of \$4,000.00 Street overtime and a decrease of \$8,863.85 in Transfers. Fiscal Officer also mentioned that there are two employees need to be taken off probation but this will be discussed in the next work session when Solicitor Barney will be present.

Motion by Rospert, seconded by McManus, to approve the Council Bills for the period of January 26th – February 23rd. Roll Call: Shafer – yes, McManus – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

Motion by Taylor, seconded by Bickley, to approve the Utility Bills for the period of January 26th – February 23rd. Roll Call: McIlrath – yes, Taylor – yes, Shafer – yes, McManus – yes, Bickley – yes, Rospert – yes.

Motion by McManus, seconded by McIlrath, to approve the Financial Reports as presented for the month. Roll Call: Taylor – yes, Shafer – yes, McManus – yes, Bickley – yes, Rospert – yes, McIlrath – yes.

Regional Planning, Building Code, and Inspection – A Zoning Permit for an accessory structure (shed located in front yard) at 102 Liberty Street was denied.

A Stop Work Order Letter was dropped off by Chief Meister to the resident at 49 Huron Street for a fence installation without a permit.

A Property Maintenance complaint was received for the property at 169 S. Main Street. The complaint revolved around a tree leaning towards the neighbor's property, unkept property and varmints. The Zoning Inspector and Administrator Rospert are working on the complaint. Administrator Rospert also suggested to the complainant to get a hold of the Erie County Health Department regarding the varmints.

Utilities – Water/Sewer Department had Franklin Sanitation in to haul sludge from the Village's treatment plant to the City of Norwalk's treatment plant. American Diesel serviced the backup generator at the treatment plant. They located and flagged critical water main valves throughout the system prior to the snowstorm(s) in case of an emergency. Electric Department switched over all the lighting at the WWTP to new LED lighting.

Electric Department trimmed a large branch from a tree on Front Street, trimmed trees out of power lines in the alley between Swan Street and Wilcoxson Street, performed primary power change over to four new poles on Sleepy Hollow and repaired the lighting at Lockwood Road Park.

The Electric, Water and Street Department attended Bucket Truck Safety Class hosted by AMP.

Civic Contacts and Historical Preservation – None

Parks and Trees – Administrator Rospert would like a meeting set up soon and will get back to the committee on date and time.

Records Commission – None

Citizen Property Maintenance – None

Communications – None

UNFINISHED BUSINESS – None

LEGISLATION

Ordinance – Next Number will be 819-02-22

Resolution – Next Number will be 622-02-22

AN ORDINANCE REGULATING AT LARGE CATS IN THE VILLAGE OF MILAN, OHIO

Motion by Bickley, seconded by Taylor, to bring this Ordinance to its second reading by title only. Roll Call: McManus – yes, Taylor – yes, Rospert – yes, McIlrath – yes, Bickley – yes.

AN ORDINANCE REPEALING SECTION 151.15 OF THE VILLAGE OF MILAN CODIFIED ORDINANCES REGARDING LEAVE OF ABSENCE FOR VOLUNTEER FIRE CALLS AND DECLARED AN EMERGENCY

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

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

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

Roll Call: Bickley – yes, Taylor – yes, Shafer – yes, McManus – 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 Rospert, seconded by McManus, to suspend the rules.

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

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

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

AN ORDINANCE BANNING THE DISCHARGE, IGNITION, OR EXPLOSION OF FIREWORKS PURSUANT TO OHIO REVISED CODE §3743.45 (D)(2)

Motion by McManus, seconded by Shafer, to bring this Ordinance to its first reading by title only. Roll Call: Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Bickley – yes.

A RESOLUTION ENACTED BY THE VILLAGE OF MILAN OF ERIE/HURON COUNTY, OHIO, HERINAFTER REFERRED TO AS THE LPA, IN THE MATTER OF THE STATE DESCRIBED PROJECT, APPLICATION TO APPLY FOR SAFE ROUTES TO SCHOOL FUNDS TO UPDATE THE SCHOOL TRAVEL PLAN.

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

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

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

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

Questions for Next Meeting

Council President Rospert asked Fiscal Officer Ramey if a Finance meeting is needed, she responded yes and a date will be scheduled at the March 10th Work Session. Councilperson McIlrath asked Administrator Rospert if a Planning Commission meeting is needed, he replied yes, will email everyone for their availability and will get it scheduled and email the Commission back.

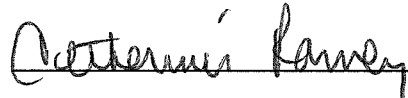
Adjournment

Motion by McManus, seconded by Rospert, to adjourn tonight's meeting.

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



Carla Rospert, Council President



Catherine Ramey, Fiscal Officer