

Village of Milan

Council Meeting

March 23, 2022

March 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 noted due to a summer schedule conflict changes in the Committee list are as follows; Under Regional Planning, Building Codes will be Tim McIlrath (Delegate), Parks & Trees will be Stefan Taylor and Erie County Council of Government Rep will be Tim McIlrath (Delegate) and Stefan Taylor (Alt).

Motion by Bickley, seconded by Shafer, to approve the Minutes of the February 23rd Regular Council Meeting. Roll Call: Bickley – yes, Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Rospert – yes.

Motion by McIlrath, seconded by McManus, to approve the Minutes of the March 14th Work Session Meeting. Roll Call: McManus – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes, Shafer – yes.

CITIZEN PARTICIPATION – Christine Sholes with Milan-Berlin Library discussed Touch-A-Truck event this year and asked for the closure of Merry Street between Main Street and Center Street during their event on Saturday, June 25th 10:00 AM – 1:00 PM.

Motion by McManus, seconded by Rospert, to approve the Touch-A-Truck event with closure of Merry Street on Saturday June 25th from 10:00 AM – 1:00 PM for the Milan-Berlin Library Touch-A-Truck event. Roll Call: Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes.

A letter was submitted from Denise Reilly on behalf of the Edison Music Boosters and music students asking for permission to use the parking lot behind Jim's Pizza Box this year during the Melon Festival for their annual fundraiser for new instruments for their students.

Motion by Rospert, seconded by McIlrath, to approve the Edison Music Boosters and music students the use of the parking lot behind Jim's Pizza Box this year during the Melon Festival for their annual fundraiser for new instruments for their students. With the exception of at least one spot each reserved for tenants renting the apartments above those businesses. Roll Call: McIlrath – yes, Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes, Bickley – yes.

CITIZEN PARTICIPATION cont. – Greg Cumston sent a letter on behalf of the Chamber of Commerce for permission to continue Cruisin` on the Square, May 10th through the last Tuesday in September from 4:30 PM – 8:00 PM

Motion by McManus, seconded by McIlrath, to approve the Chamber of Commerce use of the Square 4:30 PM – 8:00 PM for the Cruisin` Car show, May 10th through the last Tuesday in September. Roll Call: Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes, Bickley – yes, McIlrath – yes.

Greg Cumston also sent a letter on behalf of the Farm Bureau asking for the use of the Square for their Classic Tractor Cruisin` to be held on Sunday August 28th, during the hours of 2:00 PM - 4:00 PM with the closure of Park Street at 1:00 PM and reopen by 4:30 PM.

Motion by Shafer, seconded by Taylor, to approve the Farm Bureau use of the Square on Sunday August 28th from 2:00 PM – 4:00 PM with the closing of Park Street from 1:00 PM – 4:30 PM for their Classic Tractor Cruisin`. Roll Call: Rospert – yes, Bickley – yes, Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes.

OLD COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers – Waiting on word if the submission of the Erie County Regional Planning Commission, Metropolitan Planning Organization Grant for the Solar Radar Speed Limit Feedback Signs on South Main submitted on February 25th was successful.

Safety – Employees in Street, Electric, Water, Utilities, and the Mayor attended AMP Safety/OSHA Compliance Training March 9th on Lifting and Ergonomics.

Safe Routes to School Travel Plan Update Grant Application was submitted on March 1st. The Village should hear back in late April if successful.

Finance – None

Regional Planning, Building Codes & Inspection – There is a Planning Commission Meeting scheduled for April 5th at 6:00 PM for their review of Section 5 (f) and (i) of our Solar Energy Systems Ordinance due to a conflict in administration of this section of the code. 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. Also in review will be Section 1103.05 Triggering Mechanism for Design Review of our Design Review Regulations Ordinance. In 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.

OLD COMMITTEE BUSINESS – cont.

Utilities – The Electric Department completed the work in Sleepy Hollow Subdivision. All electrical upgrades are now complete and all homes are on street side power. Remaining work to be completed, taking down the old backyard primary lines.

Buckeye Pumps was in on Tuesday March 22nd for Lockwood Road Lift Station renovations, this project is now completed.

Civic Contacts and Historical Preservation – None

Parks and Trees – Councilperson McManus spoke on the Parks and Trees Commission meeting that was held on March 7th saying Gary Gilbert owner of the property between Crosby Antiques and Dick Smith’s property spoke at the meeting and discussed a potential “green space” in the vacant lot on North Main Street. The Commission advised Mr. Gilbert to take his plans upon completion to the Design Review Committee.

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

Citizen Property Maintenance - None

NEW COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers – Roadways were cold patched and areas damaged during snow plowing were repaired.

The Milan Historical Marker on US 250 was repainted and reinstalled.

The Sterling Dump Truck auger rusted out, American Diesel will weld it back.

Administrator Rospert met with three contractors on the proposed 2022 Paving Projects, which include N. Edison Drive, N. Main Street and Center Street. Once final bids are in, a Street Committee meeting will be scheduled.

Safety – Councilperson McManus read a letter from Chief Meister regarding the resignation of Officer James Bartus. Due to scheduling conflict with another job, Officer Bartus is resigning from the Milan Police Department effective March 12th.

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

Councilperson McManus spoke on the Safety Committee meeting that was held on Tuesday, March 15th the topics were DORA and Chief Meister’s plans to apply for body cameras for the Police Department.

NEW COMMITTEE BUSINESS-cont.

Finance – Fiscal Officer Cathy Ramey will set up a Finance Meeting sometime in April. Officer Ramey discussed her reports given to Council, statement of cash, bank reports and bank reconciliation are in balance. Officer Ramey asked for an extension on the Hinkle Filing, due to the auditing firm that did the last three audits, since Officer Ramey had brought up the financial differences in the books from 2019, they are looking in to it for possible adjustment that may need to be made, Officer Ramey was granted the extension. The Hinkle Filing will be filed the 30th of March. State Auditors still do not have a timeline on the date they will be in to start the audit. Officer Ramey began CDARS paperwork on rates and amounts through the local branch. Officer Ramey has also reached out to a local firm along with two other firms that work with other Villages and cities to provide information and quotes, to manage the Village investments, then Council can decide the way they prefer to go. These firms she has contacted, since they do work with other Villages and cities are aware of the ORC requirements.

Motion by Rospert, seconded by Bickley, to approve the Council Bills for the period of February 24th – March 23rd. Roll Call: Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Bickley – yes.

Motion by Bickley, seconded by McManus, to approve the Utility Bills for the period of February 24th – March 23rd. Roll Call: Bickley – yes, Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Rospert – yes.

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

Regional Planning, Building Code, and Inspection – An Electrical Permit was issued for 145 S. Center Street for interior electrical alterations and a Zoning and Building Permit was issued for an addition at 38 W. Williams Street. A new home will be going up on South Main Street in Huron County. Zoning Inspector Fridrich has worked with the owner to establish a new address for the property.

Utilities – Water/Sewer Department scheduled Control Associates to calibrate the chlorination system at the WWTP on April 1st. A new 2” submersible pump has been purchased. The collected samples of TTHM and HAA5 have passed testing. A 2008 Hurco Spindoctor valve turner, previously owned by the City of Defiance was purchased for \$5,750.00. This will be a great addition to assist with annual valve turning program. It has the ability to turn water valves, has a pressure washer, a small vacuum system to clean valve boxes, manholes and hydro-excavate, among other attachments.

Utilities cont. – The Electric Department repaired the primary to the transformer to four houses on Warwick Drive, also repaired the secondary out of the transformer, assisted Monroeville Electric Department in repairing a stop light and completed Sleepy Hollow Subdivision Upgrade Project. The Electric Department was called out for a bad connection at the mast head to 98 Perrin Road and to 47 West Williams Street for tree limbs on wires. A pole transfer was done at 23 Chippewa Drive and they rewired seven houses with new triplex wire. A new pole was set at 1919 Warwick Drive and transferred over the old equipment to it.

Power outages on Wednesday morning at 2:00 AM was caused by the potential transformer that took a hit but the cause is unknown to why or what caused this. Ohio Edison helped the Village bypass and restore the south substation to get it back online and restored power to the community. Administrator Rospert commended the work of the employees during this outage.

Civic Contacts and Historical Preservation – None

Parks and Trees – Administrator Rospert and Julie Stelzer is working on an Erie Metroparks Grant application. The grant is to apply for point tucking of the mortar at the gazebo in the square and roof repairs on the gazebo at Lockwood Road Park.

Records Commission – None

Citizen Property Maintenance – None

Communications – Solicitor Barney spoke on the Metroparks lease that was signed with a clause of insurance for flood and replacement cost. Since looking into more, it was determined it would be too expensive. A new insurance clause was written to insure just for premises liability only with 1 million dollar per claim and 1 million dollar per incident.

Motion by Bickley, seconded by McIlrath, to accept the revision into the insurance clause and allow the Mayor to initial the new paragraph in the agreement. Roll Call: Shafer – yes, McManus – yes, Bickley – yes, Rospert – yes, McIlrath – yes, Taylor – yes.

Solicitor Barney received a letter from the Ohio Attorney General regarding the 2017 finding against former Fiscal Officer Miss Bruno, the letter was a copy that was sent to Miss Bruno. Miss Bruno had a meeting with the Attorney General to make her case to abate the finding that was found against her. The Attorney General contacted Solicitor Barney with various pieces of information regarding this and after review of material of the defenses and the applicable law, the Attorney General found that there were no sufficient bases to abate the finding. The Attorney General is going into collect phase to get the Village's money back. Administrator Rospert and Solicitor Barney will work together with the insurance bond that the Village has on the Fiscal Officer to get the money back. Solicitor Barney will look into the question that Council President Rospert had on any interest payback that would come from it due to the time frame.

UNFINISHED BUSINESS

Motion by McIlrath, seconded by McManus, to enter into Executive Session to discuss compensation of a public employee(s).

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

Motion by McIlrath, seconded by McManus, to return to Regular Session.

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

Motion by Bickley, seconded by McIlrath, to take Justina DeMarchi off probation and give her a \$1.00 dollar an hour raise with the effective date of January 1, 2022. Roll Call: McManus – yes, Taylor – yes, Shafer – yes, Rospert – yes, McIlrath – yes, Bickley – yes.

Motion by Bickley, seconded by McIlrath, to take Julie Stelzer off probation and give her a \$1.00 dollar an hour raise with the effective date of April 1, 2022. Roll Call: Shafer – yes, McManus – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

Motion by Bickley, seconded by McIlrath, to return to Administrator Brian Rospert his \$1.00 dollar an hour that was previously deducted from his pay with the effective date of April 1, 2022. Roll Call: Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes.

LEGISLATION

Ordinance – Next Number will be 821-03-22

Resolution – Next Number will be 623-03-22

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

Motion by McManus, seconded by Taylor, to bring this Ordinance to its third reading by title only. When asked if there were any questions, Councilperson Taylor asked if this was still an issue and Administrator Rospert replied that four of the five cats have been caught and were taken in to be neutered and spayed. The cats will then be returned and a host will be found to adopt them. Council President Rospert and Councilperson Taylor mentioned that they haven't seen as many cats as they have in past. Roll Call: McManus – yes, Taylor – yes, Shafer – yes, Rospert – yes, McIlrath – yes, Bickley – yes.

Motion by Bickley, seconded by Shafer, to adopt by title only. Roll Call: Shafer – yes, McManus – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

AN ORDINANCE CREATING AN OUTDOOR REFRESHMENT AREA IN ACCORDANCE WITH R.C. §4301 AND ESTABLISHING HEALTH AND SAFETY REGULATIONS THEREIN

Motion by McIlrath, seconded by Rospert, to bring this Ordinance to its first reading by title only. When asked if there is discussion, Solicitor Barney said they will see a Resolution next month, accepting the Mayor's application and passing by emergency. Roll Call: Shafer – yes, McManus – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

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

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

VILLAGE OF MILAN RESOLUTION ALLOWING THE VILLAGE ADMINISTRATOR TO APPLY FOR THE 2022 METROPARKS LOCAL PARK CAPITAL IMPROVEMENT GRANT PROGRAM AND DECLARING AN EMERGENCY

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

Motion by Shafer, seconded by Rospert, to adopt by title only as an emergency. When asked if there was discussion, Councilperson McIlrath asked Administrator Rospert the time frame, Administrator Rospert replied by November of this year. Roll Call: McIlrath – yes, Taylor – yes, Shafer – yes, McManus – yes, Bickley – yes, Rospert – yes.

Questions for Next Meeting

Council President spoke on live streaming of the meeting that were started due to Covid and now that the restrictions are off and meetings are open, she would like to entertain that Council considers going back in person and not live stream. Councilperson Bickley asked if there is a way to see how many are watching and Councilperson Taylor said yes he could see the actual number of people watching the live stream and at that time he said that four people were watching. He said however once live stream ends if he were to go into it five times it would add it as five views making the exact number not accurate.

Motion by McManus, seconded by Rospert, to discontinue live streaming the Council meetings. Roll Call: McManus – yes, Taylor – no, Shafer – no, Rospert – yes, McIlrath – yes, Bickley – no. Mayor Crosby vote yes. Motion stands.

Adjournment

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

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

Carla Rospert

Carla Rospert, Council President

Catherine Ramey

Catherine Ramey, Fiscal Officer