

Village of Milan

Council Meeting

July 27, 2022

July 27, 2022 Council Meeting was called to order with the Pledge of Allegiance by Mayor Pam Crosby.

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

Also present – Mayor Pam Crosby, Administrator Brian Rospert, Solicitor James Barney and Fiscal Officer Catherine Ramey.

Motion by Taylor, seconded by McIlrath, to excuse Nate Shafer from tonight’s Council Meeting. Roll Call: Taylor – yes, McManus – yes, McIlrath – yes, Rospert – yes. Bickley – yes.

Motion by McManus, seconded by McIlrath, to approve the Minutes of the June 22nd Regular Council Meeting. Roll Call: Bickley – yes, Taylor – yes, McManus – yes, McIlrath – yes, Rospert – yes.

Motion by Rospert, seconded by Taylor, to approve the Minutes of the June 22nd Proposed Tax Budget Public Hearing. Roll Call: Taylor – yes, McManus – yes, McIlrath – yes, Rospert – yes, Bickley – yes.

Motion by McIlrath, seconded by McManus, to approve the Minutes of the July 14th Work session. Roll Call: McManus – yes, McIlrath – yes, Rospert – yes, Bickley – yes, Taylor – yes.

CITIZEN PARTICIPATION – Resident Mary Bruno spoke on her concern regarding public records policy. Bruno said she received her request today from seven (7) weeks ago and that it is not in a timely matter to her. She also mentioned that 70% was redacted and there were things on it that didn’t need to be redacted. Bruno then went on to say she doesn’t know what else to do since questions are not answered in emails and she has tried four (4) times to make an appointment with the mayor.

Mayor Crosby then asked Bruno what was the public record that was redacted that she was so upset about. Bruno said she wasn’t upset, she asked for Solicitor Barney legal bills. Records Clerk Justina Demarchi spoke and said she could answer that question. Bruno would get the record once Demarchi obtained them.

CITIZEN PARTICIPATION – cont. – Record Clerk Demarchi asked Bruno if she was indeed sent a reply to her email on the status of her records request. Bruno answered, yes. Demarchi then stated that a lot was not redacted, only redaction is what is listed in the ORC and page # of the chapter and why it was redacted. After a heated discussion between Bruno and Demarchi, Mayor Crosby interjected saying they need to move along.

Resident Dick Smith asked if he could speak. Smith said the reason he was there is that there was another article in the paper that he takes issue with, articles seem to be one sided. The articles mention that the “body” of the village is corrupt and that there are fraudulent activities going on. The community is fed up on the negative issue, and would like to know from the information that is being said in the public paper when actual facts and factual information will be published.

Smith said his other concern as a tax paying citizen is the extra person hired since there has been so many requests. He mentioned that he knows there are laws against asking for so much information over a period where it becomes not just burdensome but harassment.

Smith recognized newest Fiscal Officer Ramey on the extraordinary job she has done going through things and straightening things out.

Smith said he has spoken to many residents and there is a lot of respect and a sense of appreciation for Village employees. Smith and his wife over the years have never had any issues with employees, that they have always been cordial and respectful. He went on to say in his opinion was that this is the best well-run administration that he and his wife have seen in years. Smith also commended Administrator Rospert for being an efficient and responsive administrator.

Smith stated he is frustrated with what is going on and hopes that Council can find a way put a stop to it. That it is a total waste of money and the amount of research that has been done has to be more than hundreds of dollars but thousands. He went on to say the paper articles are biased, reporting is a representation of one side. Support from community he would campaign if needed. Council thanked Smith for his input.

OLD COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers – A.J. Riley completed North Center Street, North Edison Drive and South Center Street Paving Projects.

Safety – Employees attended AMP Safety/OSHA Compliance Training on July 13th; topic was OSHA’s Focus Four.

Finance – None

Regional Planning, Building Codes & Inspection – None

OLD COMMITTEE BUSINESS – cont.

Utilities – BCU Electric and Ohio Edison will be making necessary repairs to the South Electrical Substation, tentatively scheduled for August 10th.

Civic Contacts and Historical Preservation – None

Parks and Trees cont. – The Tree Commission reviewed and approved an additional nine trees to be removed. Ohio Tree will remove the nine trees in the amount of \$5,500.00. A large maple tree at the intersection of Lockwood Road and Huron Street is scheduled to be removed and due to the tree roots, the sidewalk will also be repaired.

Homestead Carpentry installed shingles and painted the cupola on the Lockwood Road Gazebo during the week of July 18th, half of this project costs will be paid for by the Erie Metro Parks Grant.

Adelman Construction is scheduled to begin point-tucking mortar repairs, sealing and caulking the Village Square Gazebo the week of July 25th. Half of this project costs will also be paid by the Erie Metro Parks Grant.

Records Commission – The Records Commission met on July 13th, the Commission discussed all records request that have received over the last several years. Justina gave them an update on the work she has been doing.

Administrator Rospert noted that Justina is a huge asset to the Village of Milan, not only in the records department but also in the Police Department side as well.

Council President Rospert asked, “Once Justina compiles a list of records requests, will they then be public record?” she was told they would be. Mayor Crosby said it is a big list. It was then asked if the time spent on collecting records for all the requests were documented, Administrator Rospert noted that in the past, the number of requests coming in were taken care of as soon as possible but there is so many other regular job performances that need to be done daily that they are still getting done in a timely matter. Council President Rospert asked on a typical day are there multiple public records requests from the same people?

Administrator Rospert, Fiscal Officer Ramey and Mayor Crosby all replied at the same time, yes. A councilmember then asked Solicitor Barney if there were any truth to the fact that eventually they could become a nuisance and his reply was no, that unfortunately not. Solicitor Barney mentioned that the Ohio Municipal Association Attorney had just put out that a guy had called in records request 10-11 a day, that they are public records and doesn’t give you a right to withhold them. However, we do have a right to do it according to the Ohio Revised Code in which the Village is getting better at doing. In the past the Village has just given the records out but now are redacting the records properly. The Village has no obligation to engage the public in conversation or answers questions. The Village has an obligation to give records and have open meetings and the Village is complying with that. He went on to say with the climate of the newspaper it is difficult to engage someone and also agrees with what resident

OLD COMMITTEE BUSINESS – cont.

Mr. Smith said that the Village Administrator, Fiscal Officer, Mayor, Council and employees are doing things right.

Citizen Property Maintenance - None

NEW COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers – Contacted contractors for pricing on sidewalks for repair, North Edison Drive, East Front Street, East Church Street and at 35 Lockwood Road. Administrator Rospert recommended hiring Erie Blacktop to perform the following Street Repaving Projects: North Huron Street from Front Street to Bank Street in the amount of \$8,122.40, Williams Street from U.S. 250 to Huron Street in the amount of \$21,668.60, Audrey Lane from Main Street to Winkle Road in the amount of \$8,615.80 and Perrin Road from Main Street to the Milan Township Line in the amount of \$25,508.00.

Motion by McIlrath, seconded by McManus, to hire Erie Blacktop to repave N. Huron Street from Front Street to Bank Street in the amount of \$8,122.40.

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

Motion by Rospert, seconded by McIlrath, to hire Erie Blacktop to repave Williams Street from U.S. 250 to Huron Street in the amount of \$21,668.60.

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

Motion by Rospert, seconded by Taylor, to hire Erie Blacktop to repave Audrey Lane from Main Street to Winkle Road in the amount of \$8,615.80.

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

Motion by McIlrath, seconded by Taylor, to hire Erie Blacktop to repave Perrin Road from Main Street to the Milan Township line in the amount of \$25,508.00.

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

Safety – None

Finance – Fiscal Officer Cathy Ramey went over her reports to Council. Council President Rospert thanked Fiscal Officer Ramey for her explanation of the reports instead of just sending them to Council.

Motion by McManus, seconded by Rospert, to approve the Council Bills for the period of June 23rd – July 27th. Roll Call: McManus – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

NEW COMMITTEE BUSINESS – cont.

Motion by Rospert, seconded by Taylor, to approve the Utility Bills for the period of June 23rd – July 27th. Roll Call: McIlrath – yes, Taylor – yes, McManus – yes, Bickley – yes, Rospert – yes.

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

Regional Planning, Building Code, and Inspection – Solicitor Barney read over the definition of the Nonconforming Uses ordinance and along with the Administrator, recommends sending the Nonconforming Use section to the Planning Commission to have them make it a more substantial alteration. It was also suggested, instead of altering the Planning Commission recommendation on fences, to resend it back to the Planning Commission for research on a specific topic.

Motion by Taylor, seconded by McManus, to recommend the Planning Commission review Section 1177.02 and Section 1185.04. Roll Call: McManus – yes, Bickley – yes, Rospert – yes, McIlrath – yes, Taylor – yes.

Zoning Inspector issued Building/Zoning permit to 20 Landsdown Drive for deck. In review is 63 Huron Street for an addition and 305 S. Main Street for deck replacement.

Utilities – The Water/Wastewater Department had Bergren and Associates in July 14th to calibrate the flow meter at the Wastewater Treatment Plant. They also installed a new auto-dialer at Lockwood Road Lift Station and set up a new system with the Village current water tower telemetry. This will help operators during electrical storms, keep an eye on the water tower level on their mobile devices.

A water leak on July 2nd at 15324 South Main Street due to a hole in a ¾” service line. They were able to locate the location of the leak. Necessary repairs were made and A.J. Riley repaired the damaged to the roadway on July 5th.

Water samples from throughout the Village were sent to MASI Labs for lead and copper testing. All results were within the compliance standards.

The following projects are recommendations from Administrator Rospert and the Water Department to hire the following contractors, using the American Rescue Plan Act Fund.

- 1) Influent Project at the Wastewater Treatment Plant – Project entails removing old equipment from the inside of the structure and replacing it. The scope of the project will be to remove existing base elbows, guide rails, piping, and pumps. Install new base

NEW COMMITTEE BUSINESS – cont.

elbow, 6" PVC piping and fittings to connect to existing pipe from wall. Install new guide rails, Duplex Control Panel in a stainless-steel enclosure with standard alarm lights for over temperature and high water. Reinstall pumps wiring into the new panel. Recommendation to hire Buckeye Pumps out of Galion to perform this work. Estimate is \$37,094.00. Crane rental estimated \$1,000.00 and vac truck rental estimated, \$2,000.00 for a total project cost of \$40,094.00.

Motion by Taylor, seconded by McIlrath, to hire Buckeye Pump for the Influent Project at the Wastewater Plant in the amount of \$40,094.00, using the American Rescue Plan Act.

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

Utilities – cont.

- 2) Emergency Back-up Generator Project – Primary Wastewater Station, Indian Acres Lift Station Wastewater Station, to install a 20 KW 120/208v three phase generator at this location. Recommendation to hire Great Lakes Electric out of Milan to perform this work. Estimate is \$11,334.00. the Village is required to get natural gas to this location. Columbia Gas has been contacted by the Village and they will install a new gas line at no charge to the Village.

Motion by McIlrath, seconded by McManus, to hire Great Lakes Electric to install a new generator at the Indian Acres Lift Station in the amount of \$11,334.00, using the American Rescue Plan Act.

Administrator Rospert noted that Councilperson Bickley asked at the last Council meeting what the operators' thoughts were on a generator at the other two facilities where they have lift stations. He said in the future they would like to install one at the Lockwood Road Lift Station and eventually at the Landsdown Lift Station, noting that one has a deep well so not so much a high priority. Roll Call: McIlrath – yes, Taylor – yes, McManus – yes, Bickley – yes, Rospert – yes.

The Electric Department installed a new pole at 102 Liberty Street. Scheduled an electric outage on August 1st, to install 52 residential and commercial meters to the new 4160 transformer at the North Substation. Replaced a broken globe on a lamp post in the square, since this was the last one in stock, three more have been ordered at just under \$1,000 apiece. Contracted with Ohio Tree to have twelve pine trees removed by the A-field on Huron Street. These trees were growing into the primary and secondary power lines and caused a safety/liability concern to the Village if children were to climb these trees. Replacement of smaller trees and sidewalks were discussed for this area.

NEW COMMITTEE BUSINESS – cont.

July 31, 2022 the Village of Milan’s contract with Ohio Renewal Energy Service LLC expires. The Village should start to see lower energy costs for electricity. The Village has the opportunity to sell shares, it is recommended by John Courtney to try and sell 500 Kw from Prairie State.

Motion by Bickley, seconded by Rospert, to authorize the Village Administrator to submit a Non-Binding letter of interest to sell 500 Kw from Prairie State.

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

Civic Contacts and Historical Preservation – None

Parks and Trees – None

Records Commission – None

Citizen Property Maintenance – None

Communications – The Beautification Commission met on July 22, to discuss their 2022 plan. As of that date there is \$4392.03 in the account. The commission 2022 plan is to ask council the following; to continue last year Christmas plan to include lighting and decorations of the Village Square including Lockwood Road Park and the Administration Building. This year they would like to put up approximately 25” wreaths with bows on the Milan Township Town Hall. Approval was given from the Township Trustees at July 6th regular meeting.

Motion by McIlrath, seconded by Rospert, to approve the Beautification Commission’s 2022 Plan. Roll Call: Rospert – yes, Taylor – yes McManus – yes, McIlrath – yes, Bickley – yes.

Solicitor Barney spoke with the Assistance Ohio Attorney General regarding the status of Ms. Bruno’s finding and collection. Solicitor Barney was informed that a collection letter has been sent and all reasonable steps are being taken to collect the money that is owed to the Village.

Motion by Taylor, seconded by Rospert, to adopt the new Village of Milan Personnel Policy.

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

UNFINISHED BUSINESS

LEGISLATION

Ordinance – Next Number will be 827-07-22

Resolution – Next Number will be 626-07-22

AN ORDINANCE AMENDING THE RATES TO BE CHARGED FOR MUNICIPAL WATER SERVICES FURNISHED BY THE VILLAGE OF MILAN BY ADDING A WATER SUPPLY COST ADJUSTMENT FACTOR

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

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

AN ORDINANCE AMENDING THE ZONING CODE OF THE VILLAGE OF MILAN REGARDING SOLAR ENERGY SYSTEMS AND PERMITS FOR THE DESIGN REVIEW HISTORIC DISTRICT

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

Motioned by Rospert, seconded by McManus, to adopt by title only.
Roll Call: Shafer – yes, McManus – yes, Bickley – yes, McIlrath – yes, Rospert – yes, Taylor – 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 Taylor, seconded by McManus, to suspend the rules.
Roll Call: Taylor – yes, McManus – yes, Bickley – yes, Rospert – yes, McIlrath – yes.

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

AN ORDINANCE REPEALING CERTAIN CODIFIED ORDINANCES OF THE VILLAGE OF MILAN REGARDING EMPLOYEE RIGHTS, PRIVILEGES AND RESPONSIBILITIES AND DECLARING AN EMERGENCY

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

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

AN ORDINANCE AMENDING THE ZONING CODE OF THE VILLAGE OF MILAN REGARDING FENCES

Motion by McIlrath, seconded by McManus, to bring this Ordinance to its first reading by title only.

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

A RESOLUTION BY THE COUNCIL OF THE VILLAGE OF MILAN DECLARING THE AMOUNT OF TAXES THAT MAY BE RAISED BY LEVY AT THE MAXIMUM RATES AUTHORIZED BY LAW WITHOUT THE VOTE OF THE ELECTORS TO BE INSUFFICIENT AND DECLARING THE NECESSITY OF A RENEWAL LEVY IN EXCESS OF SUCH RATES

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

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

Motion by Bickley, seconded by Taylor, to adopt by title only.

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

A RESOLUTION ESTABLISHING A ONEOHIO OPIOID SETTLEMENT FUND FOR THE VILLAGE OF MILAN AND DECLARING AN EMERGENCY

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

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

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

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

Questions for Next Meeting

Council President Rospert brought up the Citizens Participation and the time based on the Rules of Council, participates are given five (5) minutes to speak. It is then with exceptions that at Council’s pleasure to extend time.

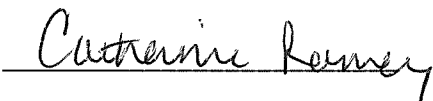
Adjournment

Motion by McIlrath, seconded by McManus, to adjourn tonight’s meeting.

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



Carla Rospert, Council President



Catherine Ramey, Fiscal Officer