



**Village of Milan  
Council Work Session Meeting  
November 14, 2022**

A Work Session for the Village of Milan Council was called to order by Mayor Pam Crosby on Monday November 14, 2022 at 6:00 p.m. in the Council Room at 11 S. Main Street, Milan, Ohio.

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

Also, present: Mayor Pam Crosby, Fiscal Officer Cathy Ramey, Administrator Brian Rospert, Attorney Jim Barney and Utility Clerk/Records Retention Justina DeMarchi-Rollings.

**New Business**

Administrator Rospert spoke on the October 26<sup>th</sup> Village Council Meeting, where Council voted and approved the purchase of a Ford F-350 gasoline work truck chassis from Mathew’s Ford and allocate up to \$43,000 for this purchase. The Village was notified by Mathew’s Ford that the price of the truck price increased unexpectedly more than their estimate at a price of \$49,151.00. The order was not placed due to the increase in cost. However, Administrator Rospert said they did get pricing from Firelands Chevy and Ken Ganley on Chevrolet and GMC pricing.

Firelands Chevy – 2023 Chevrolet Silverado 3500HD Chassis only	\$43,400.00
Ken Ganley Buick GMC – 2023 GMC Sierra 3500HD Chassis only	\$48,150.00

If Council is ok with going with the Chevrolet, a need to withdraw the motion to purchase the Ford (from the October meeting) and issue a new motion to go with the Chevrolet at the November meeting.

Street Department Dump Truck Chassis: We submitted our bid specifications for a light duty dump truck to the newspaper and all bids need to be received prior to November 21, 2022.

Electric Department 47’ Aerial Boom Truck (complete truck with chassis); Tyson received updated pricing from Altec, and Utility Truck Equipment and the specifications are as close as possible between the vendors. Both vehicles are quoted with Ram 5500 with diesel engines and 4-wheel drive.

Altec pricing remained the same at \$193,476.00

UTE pricing dropped a bit to \$233,061.00

It would be suggested to Council that they consider going with the Altec Aerial Boom Truck. Officer Ramey said the PO is open and will be fine to place the order.

### **New Business – cont.**

**Auditor Note:** While the State Auditors were in, they suggested that the Village put our Records Retention Policy into our new Employee Policy. Solicitor Barney said it would be fine to add this to the Employee Policy. This will be recommended at the November Council meeting.

Officer Ramey made note that United Health Care renewal is December 1<sup>st</sup> and there is no increase in vision and dental, only increase is cost of life insurance. Life Insurance went up \$12.00, it is now \$144.00 a month total. Health Insurance renewal is in May 2023. Fiscal Officer Ramey asked about the employee portion of Life Insurance and questioned whether the Village pays it as a benefit, Council asked the Fiscal Officer to check into other entities on whether they pay it or not.

Solicitor Barney made mention that he and Administrator Rospert are working on a letter received from an attorney regarding water rates outside the Village, this will be discussed at a later date.

Utility Clerk/Records Retention Justina DeMarchi-Rollings spoke on her Public Records position and what will need to be in place for the next hire. Since she is taking the full-time position with the Milan Police Department, she informed Council where the Public Records Request are at this time. Records request pending as of October 27, 2022 is one (1) out of eight (8) records requested. Seven (7) requests have had a total of at least 110 pages along with a thumb drive sent to Mary Bruno. DeMarchi-Rollings supplied Council with a summary of records request during the time frame of March 17, 2022 through November 4, 2022. In eight (8) months a total of records requests from Mary Bruno have been 87, with a total of 195 pages and 2 thumb drives that have been provided for these requests. Total records request within the eight (8) months from Tina Frederick have been 244, with a total of 495 pages that have been provided for these requests to her and although there are other requests that have been made, those records do not exist and those are also shown on the summary pages. DeMarchi-Rollings said when a record request comes in, it will be on one email then another will come in where they will redact the original email they send and changed it with a threat, complaining or harassing about such things, which again she said is described in the following summary report.

DeMarchi-Rollings reported that in October, Tina Frederick's records requests have increased a lot, along with her emails and her behavior. DeMarchi-Rollings made note to Council that she is concerned about the progression of Tina Frederick and just so they are aware, Tina is following employees around the village and in one such recent episode was on October 31<sup>st</sup>, where she followed an employee to his home (a dead-end street) and prevented his wife from getting into their driveway. DeMarchi-Rollings went on to say that Tina's emails are also not nice.

Mayor Crosby asked Solicitor Barney if there was anything the Village could do. Solicitor Barney said he hoped that the employee contacted and notified the Police Department and had it put in a file. DeMarchi-Rollings did say that this was out of the Milan Police Department jurisdiction and Erie County Sheriff was advised.

DeMarchi-Rollings also told Council, Tina has been notified on several occasions that records request should be sent directly to the records department, but she still continues to send record request emails to the Mayor, Administrator, Fiscal Officer and DeMarchi-Rollings Police email.

**New Business – cont.**

Discussion then took place over the time when the records request are received in the records department. Once received in the records department, the request is opened by the records employee, DeMarchi-Rollings noted that the new hire for this records department will need to read thoroughly each request from the following people since a lot of their request have several requests within them. She also stated that the new hire needs to have a “backbone” and not take the bullying that is presented in the requests.

Council President asked about the three-day turnaround and the answer given was the records department needs to send a receipt email back within the three days stating they have received the request are working on it.

DeMarchi-Rollings also noted that Tina sent an attachment of when Fiscal Officer opened the email, that should have gone to the records department to begin with. Typically, this is not usual for someone to get this back, however, she said that there is a paid program that certain emails will show them when an email is open, without an open receipt from the receiver.

DeMarchi-Rollings again stressed that she advised Tina in several emails that if she has record requests, those requests need to be sent to the records department email so that they can be processed.

Council President Rospert checked to see if the email is on the Village Website, and it was along with an email link going right to the records department.

Council, Fiscal Officer Ramey and DeMarchi-Rollings talks about the number of hours that DeMarchi-Rollings position will need with a new hire. It is possible that position alone may need 25 hours since there have been so many requests, sometimes weekly. Council will try to find someone qualified to this position as DeMarchi-Rollings was.

DeMarchi-Rollings mentioned that if a record does not exist, you do not need to create one, nor does anyone have to answer questions. However, in some record request emails when a question is asked and someone has answered, if it was not how they wanted it answered then a follow-up email was sent then back accusing the Village employee of being hostile. No one is not obligated to answer an email question that is not a public record.

Council and Solicitor Barney thanked DeMarchi-Rollings for all her work on the great job she has done in the records department since she was hired.

DeMarchi-Rollings said she has an excel worksheet that list 2021 – 2022 public records request that is more detailed. These excel worksheets state who the email was sent to, date, time who responded and what request was given to them.

DeMarchi-Rollings again was concerned for the employees and asked Solicitor Barney if there was anything that could be done about how they are being followed. Solicitor Barney said again, whoever is being affected by that behavior should contact the police department,

**New Business – cont.**

even if it is pictures being taken of the employee(s) on the job. Notify the Police Department what the citizen is doing and that they are aware of this behavior being done to other employees and they want this on the record also. Administrator Rospert will inform all employees to notify the Police Department. Solicitor Barney said even though a person can take a picture of a public employee, still this behavior is concerning and since it is not only employees but Council too, the Police Department has a right to know about it so they can keep track of the time, see if there is a pattern and if this occurs later they can tie it all in, maybe nothing but little concerning. DeMarchi-Rollings said this behavior is somewhat concerning especially when it starts to interfere with operation of their jobs. DeMarchi-Rollings also noted that she is stepping out of her own business just to take pictures of employees. Administrator Rospert commented that maybe the Village should buy cameras for employees to show people following them doing their jobs.

DeMarchi-Rollings said that she is still working on Mr. Maloney's request that is similar to Tina's and Mary's. Solicitor Barney asked how many other requests other than those three have been made, DeMarchi-Rollings replied, five.

DeMarchi-Rollings again stressed that even though they will say they send only five emails, that email may have eight records requests within that email. The last big email sent by Tina had twenty-eight (28) records requests in it with 133 pages sent back to her, because of this DeMarchi-Rollings said it takes time to gather, redact and copy these records requests and make a copy for documentation for the records department as well. Once redacted then state why redacted as well, this all takes a large amount of time. Council thanked Justina again for her time on all she has done.

Mayor Crosby said it was a shame how much money and effort it has taken from everybody to fulfill two people's requests.

Discussion continued with the hiring of the next employee, Councilperson Bickley request that the records requests log continues, and President Rospert said it was originally for ten hours a week position that was part-time Records/Utility Clerk but now more hours are now needed. Fiscal Officer Ramey said that position was intended to organize the basement files and retention schedule to get rid of files that need to be destroyed, then records in between if requests were made. Fiscal Officer Ramey also made note that the position was ten (10) hours a week for a year and Council would revisit it in a year.

Discussion of making the position now with a scheduled number of hours and a schedule of time for records requests. Solicitor Barney suggested that if it is in the budget maybe they should hire a part-time Deputy Fiscal Officer/part-time Public Records since DeMarchi-Rollings said 85% of the records request are fiscal office records and that Fiscal Officer Ramey would have a cross trained person in an event Fiscal Officer Ramey was off to do payroll and keep the bills paid.

**New Business – cont.**

Council President Rospert said as a taxpayer she would like to fulfill the public records position as part-time first and then re-evaluate later. Fiscal Officer Ramey can put together a part-time twenty-five (25) hours and a full-time in the budget and Council can see and choose how they want to go forward on this. Council agreed that they would prefer part-time also. Administrator Rospert asked if the job position can remain as it was when they hired in Justina with a minimum starting wage increased. Councilperson Taylor would like the title to be changed to Records Coordinator.

Fiscal Officer Ramey would like to have a Work Session meeting in the first week of December to go over the budget. A Work Session was then set for Thursday, December 8<sup>th</sup> at 6:00 p.m.

**Unfinished Business**

None

**Questions for Next Meeting**

None

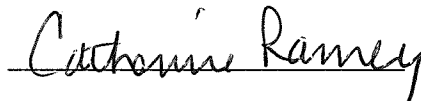
**Adjournment**

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

Roll call: Bickley - yes, McIlrath - yes, Rospert – yes, Taylor – yes.



Carla Rospert, Council President



Catherine Ramey, Fiscal Officer