

**Village of Milan**  
**Council Meeting**  
**November 30, 2022**

November 30, 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 – absent.

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

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

Motion by Rospert, seconded by McManus, to approve the Minutes of the October 26<sup>th</sup> Regular Council Meeting. Roll Call: Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Rospert – yes.

Motion by McManus, seconded by McIlrath, to approve the Minutes of the November 9<sup>th</sup> Public Hearing Minutes. Roll Call: Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Rospert – yes.

Motion by McManus, seconded by Rospert, to approve the Minutes of the November 14<sup>th</sup> Work Session Minutes. Roll Call: Shafer – abstain, McManus – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

Motion by McManus, seconded by Rospert, to approve the Minutes of the November 29<sup>th</sup> Public Hearing Minutes. Roll Call: McManus – yes, McIlrath – yes, Rospert – yes. Taylor – yes, Shafer – yes.

**CITIZEN PARTICIPATION – None**

**OLD COMMITTEE BUSINESS**

**Streets, Sidewalks and Storm Sewers** – No bids were received from vendors from the Village’s advertisement for bid specifications on a new dump truck chassis for the Street Department. The Village will reissue the advertisement on these specifications and reach out to more vendors. Administrator Rospert contacted Valley Chevrolet in Wellington, stopped in and they do have State Contract, so it would not have to go out to bid. Their price for a Chevy Silverado 6500HD, 4WD, Duramax Diesel for \$67,251.64. This truck they have in stock and on their lot. Administrator Rospert is also waiting on pricing from them on a 10’ stainless steel dump bed. Administrator Rospert also made note that the Ford they were looking at they still have

**OLD COMMITTEE BUSINESS – cont.**

not heard back on the pricing, but the estimate was around \$72,000.00 or a little higher. The Ford truck was not diesel either, since Ford does not offer 4WD in the midsize dump trucks. Although, Administrator Rospert does not want Council to decide tonight, he will discuss it at a work session and if all works out and the total pricing comes in a special Council meeting for legislation since it would be using Capital Improvement Funds.

**Safety** – Solicitor Barney wanted Council to clarify the recommendation made at last month’s Council meeting regarding the pay increase. If it was for newly part-time officers or all part-time Officers. Whatever Council decided, Solicitor Barney suggest Council makes a motion to clarify it. Council President Rospert suggest Council table this motion until they can get clarification from the Police Chief on his recommendation.

Employees and Mayor Crosby attended AMP Safety/OSHA Compliance Training, November 9<sup>th</sup>, topic was Bloodborne Pathogens.

Working with ODOT District 3 on the funding for the Radar Feedback Speed Limit Signs for South Main Street Project. There are two options moving forward with this project:

- 1) ODOT orders the equipment through a purchase order and Village employees perform the installation. The Village will be required to pay for all subsequent materials, estimated at \$1,000.00.
- 2) ODOT adds this work to a 2024 project and constructs the project, leaving the Village with presumably no financial burden

**Finance** – None

**Regional Planning, Building Codes & Inspection** – Village Council held a Public Hearing November 9, 2022 to receive comments on proposed amendments to the text of the Zoning Regulations, Chapter 1121.01 (44) Lot Corner, Chapter 1185.04 (c)(4) Fences and Chapter 1177.02 Nonconforming Uses (a) Alterations. The first reading of this Ordinance will be under legislation tonight.

Village Council held a Public Hearing November 29, 2022 to receive comments on a proposed amendment to the Milan Zoning Ordinance regarding a re-zone of Parcel Number 53-00186.00 with an address of 11 W. Front Street from a C-1 District to an R-3 Residential District Multi-family use. The first reading of this Ordinance will be under legislation tonight.

Jeff Stopar with Semro, Henry and Barga out of Toledo, began working on updating The Village of Milan Zoning Code.

**OLD COMMITTEE BUSINESS – cont.**

The Planning Commission held a Public Hearing on November 15, 2022 to receive comments on a Conditional Zoning Permit for Boat Manufacturing, Repair and Maintenance use at 21 N. Main Street. With no objections the Commission approved the Conditional Use Permit.

**Utilities** – At the last Council Meeting a motion was approved to purchase a 2023 Ford F-350 for the Water/Wastewater Department, in the amount of \$43,000.00. It was learned after the meeting that Ford increased their vehicle pricing to \$49,151.00. A purchase was not made since this amount was not approved. A motion will be needed to rescind the previous motion for this purchase.

An estimate from Foster Chevrolet in Sandusky, on a 2023 Chevrolet Silverado 3500HD, four-wheel drive in the amount of \$43,253.00. As mentioned at the previous meetings, they will use the Water and Sewer Capital & Replacement Fund equally to make this purchase. If approved, we will budget for the utility box installation, along with the strobe lights and trailer hitch, in next year's budget.

Motion by Rospert, second by McIlrath, to rescind the motion from the October 26, 2022, Meeting to purchase a Ford F-350 gasoline utility work truck chassis from Mathew's Ford in Sandusky, OH and allocate up to \$43,000 for this purchase. Roll Call: McIlrath – yes, Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes.

Motion by Taylor, seconded by McManus, to purchase a 2023 Chevrolet Silverado 3500HD, 4WD, utility work truck chassis from Foster Chevrolet in Sandusky, Ohio and allocate up to \$44,000.00 for this purchase. Roll Call: McManus – yes, McIlrath – yes, Rospert – yes, Taylor – yes, Shafer – yes.

The Water/Wastewater Department is still waiting for the emergency backup generator to come in for the Indian Acres Lift Station. The vendor notified the Water/Wastewater Department that there is still a delay with delivery of this item along with a delay in receiving parts for the Influent Project at the Wastewater Treatment Plant. Both projects are funded through the American Rescue Plan Act.

**Civic Contacts and Historical Preservation** – Administrator Rospert gave an update on the Jenkins Warehouse; there is a total of four items that need to be completed by the end of December and to date two of the four are completed. Purchase Orders are in for the roof and foundation work that still need to be completed. Mayor Crosby replied that there have been two grants received, one from the Dorn Foundation and the other, the Erie County Community Foundation.

**Parks and Trees** – First annual Halloween Parade was a huge success. The Village has received positive feedback from the many people that attended the event and would like to make this an annual event.

## **OLD COMMITTEE BUSINESS – cont.**

**Records Commission** – Next Records Commission meeting scheduled December 7, 2022.

**Citizen Property Maintenance** – None

## **NEW COMMITTEE BUSINESS**

**Streets, Sidewalks and Storm Sewers** – Last leaf pick up was on November 23<sup>rd</sup>. A total of 67 loads of leaves were picked up. A hydraulic cylinder and two tires needed replaced. Administrator Rospert broke down the cost for Council and the total estimated cost to the Village for providing this service is \$9,765.00. A breakdown of these costs is \$2,000.00 in diesel fuel, \$1,000.00 in gasoline, \$765.00 for the cylinder and tires and \$6,000.00 in labor costs. Murphy Tractor serviced the John Deere backhoe, replacing the Electronic Control Module. Purchased a 125 tons of road salt from the Village’s 2022 Erie County Salt Contact, which will save the Village \$11.15 per ton off next year’s contract pricing.

**Safety** – None

**Finance** – Fiscal Officer Ramey said under legislation tonight, she is starting to see where the current budget will end. Where changes will be made from the last meeting in December. She noted the biggest increase is in General fund of \$78,000.00 with most of that from income tax through November, she is estimating December. The increase in appropriations in the General Fund is \$24,000.00 which will be covered by the \$70,000.00 increase in the revenue. The three major things in the appropriations; employee payout, which was not budgeted, R.I.T.A. for administrative costs and what Council decided on to spend for the Zoning update and review. The auditors are wrapping up the audit and she is still working with SSI on the conversion and hopes to have everything reconciled by the end of the year. Officer Ramey also said she will have the preliminary budget for Council at the upcoming Work Session on December 8<sup>th</sup>.

Motion by Rospert, seconded by Shafer, to approve the Council Bills for the period of October 27<sup>th</sup> – November 30<sup>th</sup>. Roll Call: Shafer – yes, McManus – yes, McIlrath – yes, Rospert – yes, Taylor – yes.

Motion by McManus, seconded by Taylor, to approve the Utility Bills for the period of October 27<sup>th</sup> – November 30<sup>th</sup>. Roll Call: McIlrath – yes, Taylor – yes, Shafer – yes, McManus – yes, Rospert – yes.

**Regional Planning, Building Code, and Inspection** – Zoning Permit for a shed was issued to 41 E. Front Street.

**NEW COMMITTEE BUSINESS – cont.**

**Utilities** – The Water/Wastewater began working on their 2023 budget, updated their Material Safety Data Sheets, drained, and cleaned final tank #2, and placed insulation in several meter pits that are known to freeze.

December will be the first month where water customers will see a Water Supply Cost Adjuster (WSA) on their utility bills, with the current WSCA Factor was \$0.89 per 1,000 gallons.

The Electric Department installed a new electrical sub-pole on S. Main Street and transferred the power, rewired the ceiling lights at the Wastewater Plant with new LED lighting, installed the Christmas lights in the Village Square and hung the wreaths on the Milan Township Town Hall.

This month's Power Supply Cost Adjuster (PSCA) is (0.014939) down from last month's PSCA which was at (0.003003). This lower PSCA is reflected from our Renewable Energy Credits sold through AMP and we elected to give back to our customers for a six-month period.

AMP was in on November 22<sup>nd</sup> to discuss Power Supply. The Village 2023 energy sources include Prairie State at 64%, Net Market at 14.7%, 11.5% JV5, 5.9% NYPA and 3.9% AMP Hydro. They anticipate that we will see around \$33,000.00 in Renewable Energy Credits from Erie County Landfill in February/March of 2023 for the first half of 2022. They project that our 2023 annual power rates (\$/MWh) to be \$92.00 in 2023 and \$88.00 in 2024.

Administrator Rospert went over the electric vehicle and after speaking to Altec this is there price and for Altec model AT48M articulating and telescoping aerial device that will be put on a Ram 5500 diesel Chevy, four-wheel drive chassis the price of this truck is \$193,476.00. This truck will be replacing the 1999 GMC.

Motion by Taylor, seconded by McIlrath, to purchase an Altec model AT48M articulating and telescoping aerial device on a Ram 5500 diesel engine, four-wheel drive chassis and allocate up to \$195,000 for this purchase. Roll Call: Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes, Rospert – yes.

**Civic Contacts and Historical Preservation** – Milan Beautification Commission "Light up Milan" event went extremely well and was attended by many.

**Parks and Trees** – submitted 2022 Application for Tree City USA.

**Records Commission** –State Auditors suggested to put the Public Records Policy in the Employee Personnel Policy. If Council agrees, Chapter 12 Public Records Policy will be created.

**NEW COMMITTEE BUSINESS – cont.**

Motion by McManus, seconded by Rospert, to add the Village of Milan’s Public Records Policy to the Employee Personnel Policy under a newly created Chapter 12 listed as Public Records Policy. Roll Call: Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes.

**Citizen Property Maintenance – None**

**Communications – None**

**UNFINISHED BUSINESS**

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

Motion by Taylor, seconded by Shafer, to return to Regular Session. Roll Call: Rospert – yes, Taylor – yes, Shafer – yes, McManus – yes, McIlrath – yes.

No action was taken as a result of the Executive Session.

**LEGISLATION**

Ordinance – Next Number will be 836-11-22

Resolution – Next Number will be 629-11-22

**AN ORDINANCE AMENDING THE ZONING CODE OF THE VILLAGE OF MILAN REGARDING CORNER LOT FENCES AND ALTERATIONS OF NON-CONFORMING USES**

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

Discussion over fence height and Council recommends that they would like to amend Exhibit A that was currently fence height from 42” to change to 48” in height.

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

**AN ORDINANCE AMENDING THE VILLAGE OF MILAN ZONING ORDINANCE TO REZONE PROPERTY LOCATED WITHIN THE VILLAGE**

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

Roll Call: 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 Shafer, to suspend the rules.

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

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

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

**A RESOLUTION APPROVING THE ERIE COUNTY SOLID WASTE MANAGEMENT DISTRICT DRAFT SOLID WASTE MANAGEMENT PLAN AND DECLARING AN EMERGENCY**

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

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

Motion by McIlrath, seconded by McManus, to adopt by title only as an Emergency.

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

**Questions for Next Meeting**

Next Work Session is December 8, 2022

Next Council Meeting is December 28, 2022

Councilperson Shafer request that these meetings for the Work Session and Council meeting for December be changed from 6:00 p.m. to 6:30 p.m. Council discussed having the meeting times changed going into 2023. Solicitor Barney stated that Council will need to change the Rules of Council as soon as possible to reflect the new starting times and this will be done at the December meeting.

Motion by Shafer, seconded by Taylor, to change the Work Session on December 8<sup>th</sup> and the Council Meeting on December 28<sup>th</sup> meeting times to 6:30 p.m. Roll Call: McManus – yes, Taylor – yes, Shafer – yes, Rospert – yes, McIlrath – yes.

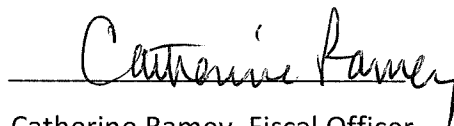
**Adjournment**

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

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



Carla Rospert, Council President



Catherine Ramey, Fiscal Officer