



**Monroe Council Minutes
Regular Meeting
May 24, 2022 – 6:30 p.m.
233 South Main Street, Monroe, Ohio**

Pledge of Allegiance

Mayor Funk opened the regular meeting of Council with the Pledge of Allegiance at 6:30 p.m.

Roll Call

Council members present – Marc Bellapianta, Tom Callahan, Kelly Clark, Jason Frentzel, Keith Funk, Christina McElfresh, and Ben Wagner.

Approval of the Minutes

Mrs. McElfresh moved to approve the Council Minutes of May 10, 2022 and Public Involvement Committee Minutes of May 5, 2022; seconded by Dr. Clark. Voice vote. Motion carried.

Visitors

Bobbie Drew expressed opposition to spending \$192,000 for a study at Monroe Bicentennial Commons.

Mayor Funk thanked her for voicing her concern and advised that those on Council do not take this lightly.

Suzi Rubin expressed her support for the study at Monroe Bicentennial Commons. Mrs. Rubin understood the need for the study and hoped others in the community would understand as well. To abandon the project for \$192,000 is not sensible and to continue to build that park out without the study also is not sensible.

Mrs. McElfresh advised that all of Council received an email and requested the Clerk of Council read the email into the record.

The Clerk of Council read the following email into the record:

“Good evening,

My name is Kara Brown. My family and I have lived in Monroe Meadows for 10 years. For those that may not know Monroe Meadows is the subdivision directly across the street from the new Police Station. Recently, the privacy fencing that ran parallel to the entrance of our neighborhood was removed and was not replaced.

The removal of the fencing has revealed the backs of the business facing Cincinnati Dayton Road and an apartment unit. When you drive in or out of Monroe Meadows



the land behind these businesses is adjacent to the entrance and what you see when you enter or leave. Unfortunately, the backs of the businesses and rentals house a number of dumpsters, piles of debris, a trailer, a boat, and a number of other unsightly materials including an old toilet.

This is the entrance to our neighborhood, the place we call home, and it is not very welcoming. I understand that the estimate to replace the fencing was a large expense, however, the removal of the fence directly impacts the value of our neighborhood and potentially, the homes in it.

If this was a new neighborhood in Monroe, I am certain the eye sores I described would most certainly be hidden in an attempt to attract new home buyers. I ask, kindly, that the same courtesy be given to the residents that currently live there.

I appreciate your time and any solutions that might be offered.

Kara Brown”

Mrs. McElfresh added that along with the email were photographs of what that property looks like and asked Mr. Brock for suggestions on this issue.

Mr. Brock stated that the City should not have been maintaining the area when the homeowners association for that subdivision no longer existed. Council agreed with Mr. Morton in that the fence should not be replaced. The property owners in the subdivision could petition the City for replacement of the fence and we could then assess them for it. With respect to what is behind the businesses, Code Enforcement will be looking into this.

Law Director Callahan advised that there are certain improvements that the City has the statutory authority to make and assess. This doesn't appear it is a public improvement and while he doesn't believe the City has the statutory authority to assess for a fence, he will look into it further.

Committee Reports

Mr. Frentzel reported the Finance Committee met and 2021 has been closed out and December 2021 and January 2022 Finance Reports will be before Council at the next meeting. In addition, the Committee is considering new reports to make for easier reading and understanding. Mr. Frentzel further reported that the Committee reviewed the trash rates following receipt of bids through the Center for Local Government consortium.

Old Business

Ordinance No. 2022-04. An Ordinance repealing Chapter 1028 known as Comprehensive Stormwater Management and amending and supplementing Chapter 1028. (Second Reading – Tabled May 10, 2022)



No action taken on Ordinance No. 2022-04.

Ordinance No. 2022-06. An Ordinance amending and supplementing Exhibit “1” of Emergency Ordinance No. 2022-01 to increase the number of positions for Public Works Administrative Assistant, establish the positions and pay range of Finance Administrator, Battalion Chief, and EMS Coordinator. (Second Reading)

Mrs. McElfresh moved to suspend the rule requiring the reading of Ordinance No. 2022-06 on two separate days, authorize its adoption on the second reading, and have it read by title only; seconded by Mr. Bellapianta. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2022-06 by title only.

Mrs. McElfresh moved to adopt Ordinance No. 2022-06; seconded by Mr. Frentzel. Roll call vote: seven ayes. Motion carried.

New Business

Emergency Resolution No. 23-2022. A Resolution accepting the lowest and/or best bid for the 2022 Asphalt Resurfacing Program, authorizing the City Manager to enter into a contract with John R. Jurgensen Co. for said Program, and declaring an emergency.

Mr. Morton reported this is for the overlay paving of Bendel Drive, Amity Lane, and Dorothy Lane, repairs to berms along State Route 63, and repairs in the Tall Oaks Subdivision. He noted that the bid came in significantly under budget.

Mrs. McElfresh moved to suspend the rule requiring the reading of Emergency Resolution No. 23-2022 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Dr. Clark. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 23-2022 by title only.

Mrs. McElfresh moved to adopt Emergency Resolution No. 23-2022; seconded by Dr. Clark. Roll call vote: seven ayes. Motion carried.

Emergency Resolution No. 24-2022. A Resolution authorizing the City Manager to enter into an agreement with Fishbeck for professional engineering services to perform a hydrology study at Monroe Bicentennial Commons and declaring an emergency.

Mr. Morton explained that a hydrology study will address the drainage needs and concerns at Monroe Bicentennial Commons. Mr. Morton introduced Allen Aspacher and John Peace with Fishbeck Engineering. He advised that Fishbeck does a majority of our stormwater engineering such as plan review when drainage calculations are submitted and rewriting our stormwater ordinance and management plan. Mr. Morton stated that Fishbeck was chosen due to their knowledge of our stormwater needs and concerns.



Mr. Morton informed Council that what has been constructed at Monroe Bicentennial Commons would not need to be torn down regardless of whether or not Council approved the hydrology study. For future development, this study is necessary to determine what is underground and the type of drainage system that may need to be constructed.

Mr. Morton confirmed Mrs. McElfresh's understanding that the lake that was there required water to be pumped in from the river to maintain it and there has been construction and deconstruction with that property since 1922 where there is alot buried under the land. The City doesn't know where it is and what it is until we have a study performed. Mr. Morton added that the area where the swimming pool used to be was all filled in prior to the City taking ownership and he has no knowledge of what was done to mitigate that.

Mr. Morton advised that during phase 1 the concrete was designed to drain into the tree wells and it was realized after the concrete was finished that there is so much concrete under the tree wells they could not bust through it.

Mr. Wagner stated that he was on the property and when it began to storm those tree wells turned into small ponds and the concrete is still slippery. Mr. Wagner asked if there is a recommendation for a drainage system if that and the removal of anything underneath the land would increase the price of the park even further. Mr. Morton advised that it would. Mr. Wagner understood the need for the study, but there is a lot of issues that could potentially grow from this.

In response to Mr. Wagner's inquiry, Mr. Brock replied that the cost of the study is within the amount budgeted for the area in 2022.

Referring to Mr. Morton's point, Mayor Funk noted this may change the plan for the area. Mayor Funk asked if the City has looked at other options. Mr. Morton stated that because of the magnitude of this project he feels this is the best route to take. There is 40 acres that we are surveying and we may need a lift station or permit from the Army Corps of Engineers to drain the water into the river.

Mayor Funk agreed with Mrs. Rubin's point that it is a drop in the bucket compared to the scale of the project; however, what it could tell us is that the drainage system could be \$3.6 million. Realizing it may not cost that much, Mayor Funk always defers to staff as they are the experts in this, but if he is not presented with three options and receives a recommendation on which option to take, that is where he has a problem.

Mayor Funk is a proponent of Monroe Bicentennial Commons, but when he refers to other options there may not be any options to fix the drainage and questions whether \$6 million could be better spent somewhere else in the City.

Mr. Aspacher explained that they plan to investigate the subsurface soil and that is not just the concrete. We will be able to come back to Council with options and will not just have one option.



Mr. Frentzel felt that the study will give us the knowledge that may be easily solved or determine that we need to spend the money in a different area of the City.

Mr. Callahan felt that the work could be completed in-house rather than having a study performed.

Mr. Morton advised we cannot even put in two more playgrounds because of the drainage. You need to give the water an outlet and we can't even cut a swale to put it into the river. This study may show that we can put it in the lake. Mr. Morton indicated there may be all types of solutions that is cheaper, but without the study we do not know what they are.

Mr. Aspacher explained the study will cover all of the property to show what is underground and without it everything is a guess. This could be accomplished in steps and some areas may drain into the ground and some areas may not drain. There is a floodplain on this ground.

Mr. Callahan did not understand why you always have to have someone else tell you what to do. We have all of this equipment and all of these employees and he didn't understand why Public Works could not dig a trench. He could not imagine spending all of this money when the City has the staff and the equipment.

Dr. Clark was of the opinion that it does not benefit the City in any way to try and piece meal and do it ourselves. She is disappointed that Council has been put in this position because this type of study should have been performed prior to building phase 1. She understands the need for the study because we cannot proceed without it.

The majority of Council agreed with Mr. Wagner that this should have been performed in the beginning. The park is going to be beneficial to the community and right now it is barely usable.

Mr. Callahan felt that Council needs more options to choose from.

Mayor Funk would like a decision to be made if the City continues with Monroe Bicentennial Commons or should investments be made in other park land.

Mr. Frentzel is not pleased that we didn't do this three or four years ago, but the study will give us a plan to determine the future development. He prefers to do the study all at once.

Mr. Callahan asked how much concrete was run into when the restroom and pipes were put in. Mr. Morton replied it was a massive amount and even with very large equipment they couldn't get it all out as some of it was six or seven foot deep.

Mr. Frentzel asked Mr. Brock if ARPA Funds could be used for this study. Mr. Brock did not know, but would find out.

Mr. Callahan noted that nothing has been done about the drainage at Monroe Community Park.



Mrs. McElfresh asked if other pricing from other firms for this study was obtained. Mr. Morton replied that he did not as it is not required for professional services.

Mr. Aspacher advised that a lot of this work is sub consultant work for us and we did talk to several other companies for this.

Mrs. McElfresh moved to consider this the first reading of Resolution No. 24-2022 and have it read by title only; seconded by Mr. Frentzel. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 24-2022 by title only.

Mrs. McElfresh moved to approve the first reading of Resolution No. 24-2022; seconded by Dr. Clark. Roll call vote: five ayes; two nays (Bellapianta and Callahan).

Ordinance No. 2022-07. An Ordinance amending and supplementing Ordinance No. 2021-56, otherwise known as the permanent appropriations ordinance, to meet current expenses and other expenditures of the City of Monroe, during fiscal year ending December 31, 2022.

Mr. Brock referred Council to the summary included in the Council packet if anyone has any questions.

Mrs. McElfresh moved to suspend the rule requiring the reading of Ordinance No. 2022-07 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Frentzel. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2022-07 by title only.

Mrs. McElfresh moved to adopt Ordinance No. 2022-07; seconded by Mr. Wagner. Roll call vote: seven ayes. Motion carried.

Consideration of Motion authorizing the expenditure of \$44,314.00 to CDWG for Mobile Data Terminals for the Department of Police.

Mrs. McElfresh moved to authorize the expenditure of \$44,314.00 to CDWG for Mobile Data Terminals for the Department of Police; seconded by Mr. Bellapianta. Voice vote. Motion carried.

Consideration of Motion requesting a hearing for a D1 Liquor Permit to Main Street Marathon 176 located at 595 South Main Street.

No action taken.

Consideration of Motion requesting a hearing for a D5I Liquor Permit to Sebastian LLC No 1 located at 1420 Hamilton Lebanon Road.

No action taken.



Administrative Reports

Mrs. McElfresh asked for an update about the trucks on Todhunter Road. Chief Buchanan advised it is an area that has extra patrol and they have spoken with the residents and businesses out there.

Mr. Frentzel asked if anyone has spoken to the businesses that are in that location, but within the City of Middletown. Mr. Brock advised they are preparing a map of what the proper route is for the trucks and will be providing to the businesses, as well as having another conversation with them.

Mr. Brock referred to a copy of the report related to the South Main Street curb issue and sought Council's input on this. Some of the items were to improve visibility, signage, and lighting before putting a guardrail off. Mr. Brock advised that a guardrail is not going to prevent the severity of the traffic accidents. It will direct them into another location, such as oncoming traffic.

Executive Session

Mrs. McElfresh moved to adjourn into executive session to review bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment; seconded by Mr. Bellapianta. Roll call vote: seven ayes. Motion carried.

Council adjourned into executive session at 8:26 p.m.

Mr. Bellapianta moved to reconvene into regular session; seconded by Mrs. McElfresh. Voice vote. Motion carried.

Council reconvened into regular session at 8:39 p.m.

Adjournment

Mr. Frentzel moved to adjourn; seconded by Mrs. McElfresh. Voice vote. Motion carried.

The regular meeting of Council adjourned at 8:39 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council