

Monroe Council Minutes
Regular Meeting of Council
April 27, 2021 – 6:30 p.m.
233 South Main Street, Monroe, Ohio

Pledge of Allegiance

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

Roll Call

Council members present: Tom Callahan, Jason Frentzel, Keith Funk, Anna Hale, Todd Hickman, and Christina McElfresh.

Mr. Funk moved to excuse Robert Routson; seconded by Mrs. Hale. Voice vote. Motion carried.

Approval of the Minutes

Mr. Funk moved to approve the Council Minutes of April 13, 2021; seconded by Mrs. McElfresh. Voice vote. Motion carried.

Visitors

Pat Osborne expressed her concern with the large trucks near her property on Todhunter Road and the City being responsible for the maintenance of Todhunter Road due to the truck traffic coming from Middletown.

Mayor Frentzel asked if there was anything new the City Manager could share on this situation. Mr. Brock advised he is working with the Law Director and will have additional information in the future. Law Director Callahan informed Council he plans to have a report at the next Council meeting in executive session.

Committee Reports

None.

Mayor Frentzel requested that Council adjourn into executive session to discuss the employment of a public employee.

Mr. Hickman moved to adjourn into executive session to discuss the employment of a public employee; seconded by Mrs. McElfresh. Roll call vote: five ayes.* Motion carried. *Mr. Funk lost remote connection at the time this vote was taken.

City Council adjourned into executive session at 6:42 p.m.

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

Council reconvened into regular session at 7:33 p.m.

Old Business

Ordinance No. 2021-12. An Ordinance supplementing Section 412.01(a)(1) of the Codified Ordinances to specifically include grass clippings. (Second Reading)

Mr. Funk stated that he understood the dangers of grass clippings and motorcyclists and would support this if making it safer was as simple as adding these two words in an ordinance; however, he began thinking of other items such as, leaves and kids throwing rocks off a bridge. He felt it should be tabled until we can get an all-encompassing ordinance if we think that the current ordinance doesn't already do that when it calls out dangerous materials or take a step back because we are getting too granular. He is not supporting this, but would be more supportive in rewriting the ordinance to include more than just grass clippings.

Mr. Hickman advised he has looked at a lot of other cities and this is exactly what they have done.

Mayor Frentzel he has also thought about this for the last two weeks and questioned the enforcement and timing of this. He understood the safety aspect of grass clippings on the road. He would hope that we would have a little common sense and worries that a neighbor will be watching their neighbor begin to mow their yard and call with a complaint. Then when someone shows up to enforce the issue the grass clippings are gone off the roadway. He questioned when do you determine it is a problem and how much is a problem.

Mr. Callahan didn't see it as a problem.

Mr. Hickman commented that when a commercial individual blows a significant amount of grass in the roadway and a motorcycle comes along and wrecks, those of you that did not want to put grass clippings in the ordinance this would be on you. The enforcement would be no different than the enforcement on the rest of the ordinance.

Addressing Mr. Hickman, Mr. Funk stated that he is vilifying the ordinance the same way he did with the mask ordinance. Mr. Hickman felt that Mr. Funk is being irresponsible to the motorcyclist. Mr. Funk isn't saying this is the wrong way to go he just felt that we need to think about this.

Mayor Frentzel pointed out there are other items in this ordinance and, as Mr. Funk mentioned, asked what happens with the leaves.

Mrs. McElfresh believed that grass in the street is a safety issue and she and her husband almost wrecked on a motorcycle due to grass in the street. People talk about grass clippings a lot and didn't see any harm in including this in the ordinance.

Mr. Funk asked Law Director Callahan if grass clippings can already be addressed the way the ordinance is currently written. Law Director Callahan advised that it can be. If someone was throwing grass in the street and a motorcycle wrecks and a citation issued, he would prosecute it in Mayor's Court.

Mr. Funk moved to consider this the second reading of Ordinance 2021-12 and have it read by title only; seconded by Mr. Hickman. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2021-12 by title only.

Mr. Funk moved to adopt Ordinance No. 2021-12; seconded by Mrs. Hale. Roll call vote: three ayes; three nays (Callahan, Frentzel, Funk). Motion failed.

New Business

Emergency Resolution No. 23-2021. A Resolution approving a Then-and-Now Certificate in the amount of 3,596.40 to Columbitech and declaring an emergency.

Mr. Brock reported this is for the Virtual Private Network and the invoice was not received in time as it went to the old vendor.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 23-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 23-2021; seconded by Mr. Callahan. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 24-2021. A Resolution authorizing specific expenditures of the City of Monroe's share of Coronavirus Relief Funds as legislated in the Coronavirus Aid, Relief, and Economic Security Act, and declaring an emergency.

Mr. Brock explained this is in a relation to the CARES Act funding and similar to a clean up ordinance at the end of the funding.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 24-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Callahan. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 24-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 24-2021; seconded by Mrs. McElfresh. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 25-2021. A Resolution authorizing the City Manager to enter into a professional architectural design services agreement by and between the City of Monroe and Brandstetter Carroll Inc. for the redesign of a portion of the Great Miami River Trail and declaring an emergency.

Mr. Brock reported that Mr. Chesar is working on the Great Miami River Trail and we were working with certain properties for the realignment. In order to do this we are suggesting additional cost in design for that project.

Mr. Chesar added that we are trying to have the least impact on properties as we can. The Ohio Department of Transportation requires a design and an environmental impact test.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 25-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 25-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 25-2021; seconded by Mrs. McElfresh. Roll call vote: six ayes. Motion carried.

Resolution No. 26-2021. A Resolution authorizing membership in the Houston-Galveston Area Cooperative Purchasing Program.

Mayor Frentzel noted that staff has requested that Resolution No. 26-2021 not be introduced this evening.

Ordinance No. 2021-13. An Ordinance amending and supplementing Ordinance No. 2021-07, otherwise known as the permanent appropriations ordinance, to meet current expenditures and other expenditures of the City of Monroe, during fiscal year ending December 31, 2021.

Mr. Brock referred to a listing of items included in the Council packet reflecting the changes to the permanent appropriation.

Mr. Funk moved to suspend the rule requiring the reading of Ordinance No. 2021-13 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2021-13 by title only.

Mr. Funk moved to adopt Ordinance No. 2021-13; seconded by Mrs. Hale. Roll call vote: six ayes. Motion carried.

Ordinance No. 2021-14. An Ordinance supplementing Exhibit “1” of Ordinance No. 2021-03 to establish the unclassified position of Human Resources Manager.

Mr. Brock explained this would create a Human Resources Manager. In the packet is a matrix of the job duties of the Human Resources Manager once it is created.

Mr. Funk moved to consider this the first reading of Ordinance No. 2021-14 and have it read by title only; seconded by Mr. Hickman. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2021-14 by title only.

Mr. Funk moved to approve the first reading of Ordinance No. 2021-14; seconded by Mr. Hickman. Roll call vote: six ayes. Motion carried.

Consideration of Motion authorizing the expenditure of \$60,000 to Brandstetter Carroll Inc. for the additional expenses related to Phase 1 of Monroe Bicentennial Commons Park pursuant to Resolution No. 45-2018.

Mr. Chesar advised this is related to the design and construction agreement that Council passed in 2018. This is based on the costs for the final construction administration, engineering, and bidding.

Mrs. McElfresh asked how many more of these will there be. Mr. Chesar explained until we know the final construction costs for each phase we will only have an estimate in the beginning.

Mr. Funk moved to authorize the expenditure of \$60,000 to Brandstetter Carroll, Inc. for the additional expenses related to Phase 1 of Monroe Bicentennial Commons Park pursuant to Resolution No. 45-2018; seconded by Mr. Callahan. Voice vote. Motion carried.

Consideration of Motion authorizing the expenditure of \$81,000 to Brandstetter Carroll Inc. to proceed with the design and bid documents for Phase 2 of Monroe Bicentennial Commons Park pursuant to Resolution No. 45-2018.

Mr. Brock stated that it is estimated the construction cost is approximately \$1.1 million for the next phase and the design cost is \$81,000.

Mayor Frentzel asked about the timeline for Phase 2. Mr. Chesar stated that it would be the construction of an additional play area and additional shelters. We would like to have the design work completed this year so we can get it ready to seek bids in January. If those bids come in too high Council has the right to say they are not willing to move forward at that time.

Mr. Funk moved to authorize the expenditure of \$81,000 to Brandstetter Carroll Inc. to proceed with the design and bid documents for Phase 2 of the Monroe Bicentennial Commons Park pursuant to Resolution No. 45-2018; seconded by Mrs. Hale. Voice vote. Motion carried.

Consideration of Motion requesting a hearing for the transfer of the D1 D2 liquor permits located at 320 New Garver Road Suite A from Turtlecreek Flea Market Inc. to TAFM OPCO LLC.

No action taken.

Consideration of Motion requesting a hearing for the issuance of a C2 liquor permit located at 595 South Main Street for the business of Main Street Marathon 176.

No action taken.

Administrative Reports

Mrs. McElfresh asked for clarification on the email received by Council on the siding issue. It was her understanding that the architectural standards were for new construction. She did not believe it was fair that these homes were built with defective cement siding and the homeowner replaced the defective siding with vinyl siding. Now they are receiving citations. Mr. Chesar explained that the City received a complaint about that particular house and many of our neighborhoods were constructed with the no vinyl prohibition. You cannot replace what is on your house with vinyl. He advised that

their remedy is to go before the Board of Zoning Appeals and request a variance. Mr. Chesar further advised if there was a change to the code related to vinyl would take a minimum of six months.

Mrs. McElfresh encouraged finding a way to communicate this to the residents.

Mr. Hickman asked about locating a soccer field at Monroe Community Park. Mr. Brock advised that if it is not interfering with baseball the Park Board can approve or Council can override the decision of the Park Board. Mr. Hickman asked if the baseball agreement is for all of the park or just a portion of it. Mr. Brock will review the agreement.

Adjournment

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

The regular meeting of Council adjourned at 8:47 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council