

**Monroe Council Minutes
Regular Meeting of Council
February 23, 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, Todd Hickman, Christina McElfresh, and Robert Routson.

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

Approval of the Minutes

Mr. Funk moved to approve the Technology Committee Minutes of February 9, 2021, and Council Minutes of February 9, 2021; seconded by Mr. Callahan. Voice vote. Motion carried.

Visitors

Mr. Routson stated that he and Steve Tannreuther were on Council together for quite awhile. Steve had his own opinion about things and didn't always go along with what everyone else did, but understood why they wanted change and why they voted the way they did. Mr. Routson then read a proclamation in remembrance of Steven Tannreuther, former Council Member and Vice Mayor.

State Representative Thomas Hall expressed his sympathy to Rita Tannreuther and their family with the passing of Steve Tannreuther. Representative Hall reported that the transportation portion of the State budget has been completed and he has been appointed to four standing committees. The committees are the transportation and public safety, higher ed and career readiness, infrastructure and rural development, and he were appointed as a vice chair to innovation and technology, which is a new committee. He had a great conversation with U C Health and they were very optimistic as their hospitalizations are down. We worked on a number of bills. First is HB 99 the School Safety Bill. Also, The Fuel Quality Bill and we are looking at working on a bill for a more paperless government and save taxpayer money in the process. We are looking at what we can do to open our county fairs 100% this July. Some of the big issues are school funding there is a new school funding bill, HB 1, which will effect Monroe Local School District. HB 2 was passed last Thursday which is a broadband bill. HB 128 is going through the process. We have already had over 130 bills introduced. He encouraged everyone to please reach out to his office or him personally with any questions or concerns.

Mrs. McElfresh thanked Mr. Hall for taking his time to come out as it is meaningful.

Mr. Hickman asked when you are going to work on legalizing marijuana. Mr. Hall replied it is something that has not come up yet, but it may after summer recess.

Committee Reports

Mr. Hickman reported from the Park and Recreation Board where the pool was located they want to turn that into a dog park. Mayor Frentzel asked if it would happen this year. Mr. Hickman believed it will happen this year as they will pour a pad and put a fence up as the pool has already been filled in and has grass.

Mrs. McElfresh asked if there is a water source already there. Mr. Hickman replied that there are plans for a new water line; however there is still water there. Mr. Funk asked what they will do with the vacant structure. Mr. Hickman was not sure what they are going to do with the vacant structure, personally he thought it needs to come down. Mr. Brock advised that it will not be one contractor doing the work.

Mr. Callahan was glad that Mr. Hickman brought this up and the location is a good location. He also suggested that they could put another dog park at Monroe Crossings Park so there is a dog park on both sides of Monroe. Mr. Routson pointed out they talked about putting a dog park there and it was turned down by Council and the Park and Recreation Board said it is a soccer field. He said if it is not used, what is the use of building another one. Mr. Hickman agreed. Mayor Frentzel said the dog park, where the old swimming pool was, is a good start to see if it will be used. Mr. Callahan showed pictures of a dog park that he recently visited that was nice as it was separated, there was water, and a six foot fence.

Mr. Funk agreed that we have been talking about this for a long time and asked Mr. Brock if this area was included in the Park Master Plan. His only question is if this is a good location. Mr. Brock advised it was not.

Mr. Routson stated we talked about the splash pad being located where the pool was located. He doesn't agree with taking the building down as it could be refurbished. Roden Park is not going to be a dog park and at some point in time we need another dog park. We haven't tried it out yet so there is no use in investing money for two.

Old Business

Resolution No. 10-2021. A Resolution accepting the lowest and/or best bid submitted for the Brittany Heights Curb Inlet Rehabilitation Project and authorizing the City Manager to enter into an agreement by and between the City of Monroe and W. G. Stang, LLC for said project. (Second Reading)

Mr. Brock requested that it be adopted on the second reading as we would like to follow up with the concrete replacement program.

Mr. Funk moved to suspend the rule requiring the reading of Resolution No. 10-2021 on two separate days, authorize its adoption on the second reading, and have it read by title only; seconded by Mr. Routson. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 10-2021 by title only.

Mr. Funk moved to adopt Resolution No. 10-2021; seconded by Mrs. McElfresh. Roll call vote: six ayes. Motion carried.

Resolution No. 11-2021. A Resolution authorizing the City Manager to enter into a Memorandum of Understanding by and between the City of Monroe and Performance Food Group related to the 2019 payroll tax hurdles under their Community Reinvestment Area Agreement. (Second Reading)

Mrs. Patterson addressed Mr. Hickman's question at the last meeting if Performance Food Group was on track with their 2020 payroll numbers. She advised that the company reached out to her on additional clarifications on their part. They are not clear they are on track with the 2020 numbers and the reason is while their payroll is much higher than expected, a lot of those employees were contract employees. Due to COVID they had a difficult time filling those positions and, in the City of Monroe, if you are a contract employee working less than 20 days you are not necessarily taxed by the City. The company needs to run additional reports to find out what the taxable payroll is to the City. The MOU does have a clause in it that if they do not meet the 2020 payroll they are immediate required to pay the \$14.669 as a lump sum and the CRA agreement automatically terminates.

Mr. Funk did not see the risk with both of those points.

Mrs. McElfresh asked how this will correct itself moving forward. Mr. Brock replied if they do not meet the payroll for 2020 they will be required to pay the full taxes.

Mr. Funk moved to consider this the second reading of Resolution No. 11-2021 and have it read by title only; seconded by Mr. Routson. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 11-2021 by title only.

Mr. Funk moved to adopt Resolution No. 11-2021; seconded by Mr. Routson. Roll call vote: four ayes; two nays (Hickman and McElfresh). Motion carried.

Ordinance No. 2021-06. An Ordinance granting easements to Duke Energy Ohio, Inc. for the underground transmission of natural gas at 6262 Hamilton-Middletown Road. (Second Reading)

Mr. Funk moved to consider this the second reading of Ordinance No. 2021-06 and have it read by title only; seconded by Mr. Routson. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2021-06 by title only.

Mr. Funk moved to adopt Ordinance No. 2021-06 and have it read by title only; seconded by Mrs. McElfresh. Roll call vote: six ayes. Motion carried.

New Business

Emergency Resolution No. 12-2021. A Resolution approving a Then-and-Now Certificate to CIVICA North America Inc. in the amount of \$3,600.00 and declaring an emergency.

Mr. Brock advised this is related to our tax E-form license.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 12-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Routson. Voice vote. Motion carried.

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

Mr. Funk moved to adopt Emergency Resolution No. 12-2021; seconded by Mr. Hickman. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 13-2021. A Resolution authorizing the City Manager to enter into a Modification Agreement by and between the City of Monroe and Clark, Schaefer, Hackett & Co. and declaring an emergency.

Mr. Brock reported a modification agreement with our auditors as the City is required to have a single audit of the CARE Act Funds.

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

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

Mr. Funk moved to adopt Emergency Resolution No. 13-2021; seconded by Mr. Hickman. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 14-2021. A Resolution amending Emergency Resolution No. 85-2020 to increase the blanket purchase order amount to Clark, Schaefer, Hackett & Co. and declaring an emergency.

Mr. Brock noted this increase is due to the single audit.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 14-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Hickman. Voice vote. Motion carried.

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

Mr. Funk moved to adopt Emergency Resolution No. 14-2021; seconded by Mrs. McElfresh. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 15-2021. A Resolution ratifying the City Manager's execution of the Non-Residential Line Extension Agreement by and between the City of Monroe and Duke Energy Ohio, Inc. for the extension of electric service to Monroe Bicentennial Commons Park and declaring an emergency.

Mr. Brock advised that this will provide electrical service to Monroe Bicentennial Commons Park at a cost of \$20,210.63. We are asking that this be adopted as an emergency to supply electric to that park.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 15-2021 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. 15-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 15-2021; seconded by Mr. Routson. Roll call vote: six ayes. Motion carried.

Resolution No. 16-2021. A Resolution authorizing the City Manager or designee to apply for any and all grant funds; provided that acceptance of any grant funds, including matching funds, must be specifically approved by City Council.

Mr. Brock reported this is an annual piece of legislation that allow staff to apply for grants as they become open with the contingency that Council must accept any grants awarded.

Mr. Funk moved to consider this the first reading of Resolution No. 16-2021 and have it read by title only; seconded by Mrs. McElfresh. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 16-2021 by title only.

Mr. Funk moved to approve the first reading of Resolution No. 16-2021; second by Mr. Routson. Roll call vote: six ayes. Motion carried.

Resolution No. 17-2021. A Resolution expressing Council's intent for the sale of personal property not needed for public use or is obsolete or unfit for the use for which it was acquired by Internet auction.

Mr. Brock advised this is an annual piece of legislation that allows personal property to be sold by Internet auction with the contingency that anything valued over \$1,000 must be declared as surplus by City Council.

Mr. Funk moved to consider this the first reading of Resolution No. 17-2021 and have it read by title only; seconded by Mr. Routson. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 17-2021 by title only.

Mr. Funk moved to approve the first reading of Resolution No 17-2021; seconded by Mr. Routson. Roll call vote: six ayes. Motion carried.

Consideration of Motion making an appointment to the Audit Committee.

Mr. Funk moved to appoint Marc Bellapianta with a term ending December 31, 2023 and Holly Cahall with a term ending December 31, 2022 to the Audit Committee; seconded by Mr. Routson. Voice vote. Motion carried.

Consideration of Motion to request a hearing on a new Class D5a Liquor Permit for S & G 4 LLC.

Mr. Brock explained that this is for the Tru Hotel and the permit is when you are serving your guests in your location while Kroger Fulfillment will be selling that through the distribution center for home delivery and it does not include a State Liquor store.

Mr. Routson moved to not request a hearing on a new Class D5a Liquor Permit for S & G 4 LLC; seconded by Mr. Funk. Voice vote. Motion carried.

It was noted that a Notice to the Legislative Authority was received for the Kroger Fulfillment Center for a C1 and C2 liquor permit. No action was taken; therefor, no hearing has been requested.

Administrative Reports

Mr. Brock brought to Council's attention that a leak has been identified in the Mound Cemetery Water Tower and it is currently being drained right now. We have been in conversation with a contractor to repair this in a timely manner.

Mr. Morton explained that a biweekly check of all of the water towers and readings are taken. It was discovered this morning and it may be that it is due to rust as it was constructed in 1997. A local contractor came in and it will probably be late tomorrow evening before the 400,000 gallons will be drained from the tank.

Mr. Funk asked how this will affect the residents. Mr. Morton advised it should not, but if we had a major fire it would have an impact. A couple of years ago the tank was down as it was being painted and there was nothing significant noticed in the distribution system. We are hoping that the repair can be made on Thursday.

Mrs. McElfresh asked what is done with 400,000 gallons of water and Mr. Morton replied it just drains down the hill and into the storm sewers.

Mayor Frentzel asked if there is any risk to residents and their basements. Mr. Morton advised there is no risk as it is running over the hill and into a detention basin.

Mr. Hickman asked if the Public Involvement Committee will review the monument soon. Mayor Frentzel replied that a meeting is attempted to be scheduled this week.

Mr. Hickman asked about the Rules of Council and asked if everyone has looked at them. Mayor Frentzel, Mrs. McElfresh, and Mr. Funk indicated they have reviewed those and have not submitted their suggestions to the Clerk of Council yet.

Mr. Hickman asked about the status of the land swap. Mr. Brock explained that Butler County is requiring the City to fill out a DTE form that we typically file after we purchase property and we are working on completing the form. Thereafter, it should be ready to take to Warren County in the next couple of weeks.

Regarding Thorntons, Mr. Hickman asked if we will be able to access the property the City owns on Union Road. Mr. Brock advised that we will have to maintain a certain portion of Union Road, at least to the south of our property, because of a Duke Energy building.

Adjournment

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

The regular meeting of Council adjourned at 7:45 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council