

**Monroe Council Agenda
Regular Meeting of Council
June 9, 2020 – 6:30 p.m.**

**This meeting was held electronically (remotely) pursuant to
Ohio Revised Code Section 121.221**

Pledge of Allegiance

Mayor Frentzel opened the regular meeting of Council at 6:41 p.m. with the Pledge of Allegiance.

Roll Call

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

Mayor Frentzel noted that Mr. Routson was having difficulty logging into the meeting.

Mrs. McElfresh moved to excuse Mr. Hickman and Mr. Routson; seconded by Mrs. McElfresh. Voice vote. Motion carried.

Approval of the Minutes

Mr. Funk moved to approve the Council Minutes of May 26, 2020, Public Works Committee Minutes of June 1, 2020, and Public Safety Committee Minutes of June 2, 2020; seconded by Mrs. Hale. Voice vote. Motion carried.

Visitors

None.

Committee Reports

None.

Old Business

Resolution No. 35-2020. A Resolution authorizing the City Manager to enter into Indefeasible Right-to-Use Agreements by and between the City of Monroe and the SouthWest Ohio Computer Association for the utilization of fiber systems. (Second Reading)

Mr. Brock stated that this was the first of two resolutions to swap fiber with SWOCA.

Mr. Funk moved to consider this the second reading of Resolution No. 35-2020 and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 35-2020 by title only.

Mr. Funk moved to adopt Resolution No. 35-2020; seconded by Mrs. McElfresh. Roll call vote: five ayes. Motion carried.

Resolution No. 36-2020. A Resolution authorizing the City Manager to enter into an Indefeasible Right-to-Use Agreement by and between the City of Monroe and the SouthWest Ohio Computer Association for the utilization of fiber systems specifically for traffic signals. (Tabled May 26, 2020)

Mr. Funk moved to remove Resolution No. 36-2020 from the table; seconded by Mrs. Hale. Voice vote. Motion carried.

Mr. Brock explained that this is additional fiber that we would purchase or lease specifically for our traffic signals. It would connect Salzman Road, Hollytree Drive, Roden Park Drive, and Yankee Road to the City's system. The cost is \$235.36 per month for the 10 year period of the agreement. It would cost 10 times that amount to run it ourselves. There is an additional cost for each individual connection to the traffic cabinets.

Mr. Funk moved to consider this the first reading of Resolution No. 36-2020 and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 36-2020 by title only.

Mr. Funk moved to approve the first reading of Resolution No. 36-2020; seconded by Mrs. McElfresh. Roll call vote: five ayes. Motion carried.

Ordinance No. 2020-19. An Ordinance combining the 1989 Levy Fund and the 2005 Levy Fund to create a new fund titled Fire & EMS Levy Fund. (Second Reading)

Mr. Funk moved to consider this the second reading of Ordinance No. 2020-19 and have it read by title only; seconded by Mr. Callahan. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2020-19 by title only.

Mr. Funk moved to adopt Ordinance No. 2020-19; seconded by Mrs. McElfresh. Roll call vote: five ayes. Motion carried.

Ordinance No. 2020-20. An Ordinance closing the Public Safety Grant Fund and authorizing the transfer of the balance of this fund to the General Fund. (Second Reading)

Mr. Funk moved to consider this the second reading of Ordinance No. 2020-20 and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2020-20 by title only.

Mr. Funk moved to adopt Ordinance No. 2020-20; seconded by Mrs. McElfresh. Roll call vote: five ayes. Motion carried.

New Business

Emergency Resolution No. 37-2020. A Resolution approving a Then-and-Now Certificate in the amount of \$5,415.93 to the Butler County Emergency Management Agency and declaring an emergency.

Mr. Brock noted this is for payment of the Butler County EMA and the invoice came in prior to the purchase order being opened.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 37-2020 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. 37-2020 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 37-2020; seconded by Mrs. McElfresh. Roll call vote: five ayes. Motion carried.

Emergency Resolution No. 38-2020. A Resolution approving a Then-and-Now Certificate in the amount of \$5,000.00 to USI Insurance Services LLC and declaring an emergency.

Mr. Brock noted that this is related to the right-of-way permit of the sanitary sewer line near the railroad crossings. We did not know how much the insurance coverage would cost.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 38-2020 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. 38-2020 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 38-2020; seconded by Mr. Callahan. Roll call vote: five ayes. Motion carried.

Emergency Resolution No. 39-2020. A Resolution approving a change order for the Garver Road Water Main Replacement Project and declaring an emergency.

Mr. Brock explained this change order received a positive recommendation from the Public Works Committee and it will allow for the installation of line stops. These line stops allow work to be performed and avoid shutting the water off to Deceuninck. We will still be able to remain within budget for this project. Mr. Morton is requesting an additional amount for the lines and future maintenance so we can easily maintain the east side of the City. The project was

originally estimated at \$467,000.00. The bid came in at \$398,000. Even with these changes there is still \$22,000.00 left in the funding for this project.

Mayor Frentzel asked if the line stops are just temporary during construction or they would be permanently installed. Mr. Brock explained they are temporary as they just go in and stop the line.

Mr. Funk asked how long it would affect Deceuninck and Mr. Brock replied that it would depend on how long the construction would take; however, it is estimated they would be shut off approximately four different times.

Mayor Frentzel asked about the notification to Deceuninck for these shut downs and Mr. Brock explained that the City would work with them to see what their manufacturing schedule is and depending on what they can maintain during this project. Mr. Brock confirmed that everyone that would be effected have been notified. He noted that this only impacts the businesses and no residents.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 39-2020 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. 39-2020 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 39-2020; seconded by Mrs. McElfresh. Roll call vote: five ayes. Motion carried.

Emergency Ordinance No. 2020-21. An Ordinance amending and supplementing the Traffic Code and General Offenses Code of the Codified Ordinances to bring City law into conformity with State law and declaring an emergency.

Mr. Brock advised that this is an update to the Traffic Code and General Offenses Code that generally mirrors the State and Federal laws. As they change we change so we can reference our own local code sections to receive the funding rather than another court jurisdiction.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Ordinance No. 2020-21 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 Ordinance No. 2020-21 by title only.

Mr. Funk moved to adopt Emergency Ordinance No. 2020-21; seconded by Mrs. McElfresh. Roll call vote: five ayes. Motion carried.

Mr. Funk moved to amend the agenda to consider Emergency Resolution No. 40-2020; seconded by Mrs. Hale. Voice vote. Motion carried.

Emergency Resolution No. 40-2020. A Resolution affirming that all funds received from the County Coronavirus Relief Distribution Fund pursuant to S.B. 310 be expended only to cover costs consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses as set forth herein, and declaring an emergency.

Mr. Brock explained that this legislation pertains to receiving Federal funding for the City. We were required to register, which we have done, and adopt a resolution to allow us to apply for funding.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 40-2020 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. 40-2020 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 40-2020; seconded by Mrs. McElfresh. Roll call vote: five ayes. Motion carried.

Administrative Reports

- Soccer at Monroe Crossings Park

Mr. Brock introduced members of the Monroe Soccer Association, Jason Race and Jonathan Schriber, and would like to discuss the use of the Monroe Crossings Park.

Mr. Schriber advised that the Association would like to get the premier teams back out. We would be practicing social distancing and there would be no scrimmages and no games. Everyone has to bring their own gear such as, water bottles, soccer balls, and they are not permitted to touch the cones. It is strictly to get them moving, running, and skill sets. Eventually, as the guidance comes in from the state and local authorities, we would like to add more to this.

Mr. Race added that they have a three-phase approach. The first phase is just for the premier teams. We have all the parents and guardians sign the infectious disease waiver form for training. We are also not implementing mandatory training until July 1st. Anyone that wants to train prior to that date is optional. It is all conditioning. Every player is going to be 6 feet apart and they use their own equipment. We are also recommending that parents stay in their car. We are separating the teams in 30 minute increments so we do not have a large crowd. If any of the players have any symptoms we want them to stay home. Mr. Race pointed out that the players like to throw their water bottles in one key spot and they will be required to have them separate in bags.

Mr. Race stated that phase two would start closer to the end of July or the first part of August when we bring in the recreational players. All the precautions in phase one will also remain in effect.

Mr. Schriber advised that parents and guardians will have the list of guidelines.

Mr. Funk asked when competitions would begin. Mr. Schriber replied that the season typically starts around Labor Day weekend. It really depends on what guidelines the State implements.

Mr. Race noted that there will not be an opening day parade.

Mr. Funk informed Council that he has witnessed the Monroe Baseball Association and everything seems to be going well. People really seem to be spreading out and enjoying a sense of normalcy.

Mr. Funk moved to permit the Monroe Soccer Association to utilize the Monroe Crossings Park for the continuation of their programs; seconded by Mrs. Hale. Voice vote. Motion carried.

- Park Shelter Reservations

Mr. Brock stated that we restricted the reservation of park shelters and all but one picnic table was moved from the shelters to prohibit large gatherings. He sought Council's input on taking reservations for these shelters again.

Mayor Frentzel asked if we need to amend the language contained in the permit requiring people to sanitize the area after each use. Mr. Brock advised that he prepared a waiver and sent to the Law Director to be included in the reservation form. We would also put signage at the site to remind people of social distancing and wearing masks.

Mrs. McElfresh questioned how the City would know if those using the Monroe Community Room sanitized it after its use. Mr. Brock advised that is the challenge because you have back-to-back reservations over the weekend. We are not suggesting to open up the room at this time.

Mr. Funk did not want to discourage a large family from utilizing the shelters as they may already be exposed to each other anyway.

Mr. Funk moved to remove the restrictions on park shelter reservations; seconded by Mrs. McElfresh. Voice vote. Motion carried.

Referencing the Lending Library's proposed plan to only allow volunteers inside and offer drive up service, Mr. Brock asked Council's opinion on permitting this.

Mrs. McElfresh asked when it was anticipated that the Monroe Community Room would re-open. Mr. Brock could not answer that due to the challenges and waiting to see if the guidelines are extended past July 1st. Assuming that does not get extended, Mrs. McElfresh felt that the room would be opened up on July 1st. Mr. Brock replied that if those guidelines are not extended he will bring this to Council at their first meeting in July.

Mr. Funk moved to allow the Lending Library to proceed with their proposed plan; seconded by Mrs. McElfresh. Voice vote. Motion carried.

- Solicitation Permits

Mr. Brock reported that the City is receiving requests from solicitors to be allowed to go door-to-door. He felt that it is something that they can do with safety guidelines in place.

Mr. Funk was of the opinion that Council could have started having meetings in the Council Chambers; however, some people still feel a remote meeting is necessary. He related this to having random people walking on his property, touching his car, walking by his kids, and touching the door and didn't feel Council should lift the restriction. Mayor Frentzel agreed as we should wait to see what, if any, additional restrictions may happen in July.

Law Director Callahan advised that he has been contacted by an attorney asking about this issue. If you add in that restriction to maintain the six foot distance and wear a mask he questioned what legal authority Council has to leave the restriction in place. Law Director Callahan pointed out that City Council has lifted a lot of restrictions and to keep this restriction in place could be problematic.

Law Director Callahan, in response to Mrs. Hale's question, advised that residents can put a no soliciting sign on their door. If a solicitor ignores those signs it puts their permit in jeopardy.

Law Director Callahan cautioned Council in leaving the restrictions in place since they have lifted others. He did believe it is reasonable for the City to strongly recommend that solicitors wear a mask.

Council requested that Mr. Brock research what other communities are doing regarding solicitation.

Mayor Frentzel brought up the Fourth of July parade as no decision has been made. He noted that it is a short amount of time to put anything together. Mrs. McElfresh suggested looking at later in the year for a parade.

Mayor Frentzel referenced the in-person Council committee meetings that have been held. He asked if Council should consider a motion to allow Council meetings to be in-person if they stay within the ten person limit. Law Director Callahan advised that it was not necessary. Mayor Frentzel recommended to hold the second Council meeting in June remotely.

Mrs. McElfresh recommended that when Council begins meeting in-person all other boards and commissions could begin to meet in-person.

Mayor Frentzel acknowledged that there has been a lot of rain the past few weeks and referenced concerns residents have brought up about flooding issues.

Mr. Brock stated a portion of the City received over five inches more than normal. With the ground water tables up and additional rainfall, it will cause issues. When we receive these calls we go out and check the catch basins and culverts to see if they are backed up. We do not always have control over places such as, where we do not have any easements. In some of the older parts of town the storm water system is built to what is called a 10 year storm. That is normal. The newer subdivisions have detention ponds and a 25 year storm system. We inspect the detention ponds to make sure they are functioning correctly. There is very little we can do with the types of rainfalls we have had.

Mayor Frentzel asked who is responsible for the culverts throughout the City. He looked at one off of Carol Ann and the resident there keeps it cleaned out, but across the street or further up the street, people do not keep those cleared. Mr. Brock replied that if it is an open ditch across someone's property it is generally the property owner's responsibility. Mr. Brock explained there are culverts in enclosed boxes and then you have an open ditch that drains the subdivision. The open ditches are the responsibility of the property owner. The large metal tubes are typically the City's to maintain not ditch lines or pipes under driveways.

Mrs. McElfresh noted that she has heard from residents that have had their basements flood and that has not happened during other record rainfalls. She added that the only changes are the addition of warehouses and the clearing of parks. She asked if this is something the City has done that caused this or is it just nature. She confirmed that the park she referred to is Rosemont Park.

Mr. Brock acknowledged that trails have been cleared in that park and he is analyzing that to see if adjustments can be made to make sure that water goes back to where it was before.

Mayor Frentzel stated that he walked that park and the pond on the property is very high. You could see where the ground was still wet behind that pond.

Mr. Brock noted that there were three ponds that were put in for the new Kroger site and Bed, Bath, and Beyond and is currently reviewing those drainage calculations.

Mr. Brock advised that the problems in Monroe Meadows have been there for a very long time. All of these items are looked at as it relates to the City's storm water permit.

Adjournment

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

The regular meeting of Council adjourned at 8:20 p.m.

Respectfully submitted,

Angela S. Wasson, MMC

Clerk of Council