



**Monroe Council Minutes
Regular Meeting of Council
August 10, 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.

Law Director Callahan swore in Ben Wagner as Council Member.

Roll Call

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

Approval of the Minutes

Mr. Funk moved to approve the Finance Committee Minutes of July 27, 2021; Council Minutes of July 27, 2021; and Public Safety Committee Minutes of July 28, 2021; seconded by Mrs. Hale. Voice vote. Motion carried.

Visitors

Paul Lane of Lebanon Street questioned the status on the proposed change of the speed limit on Lebanon Street.

Mr. Brock reported that one of the items the Public Safety Committee requested is the history of the speed limit on Lebanon Street as there was a presentation that it changed from 25 miles per hour to 35 miles per hour. He will also be looking at additional signage or cautionary lighting. Mr. Brock will bring this up at the next meeting.

Committee Reports

None.

Old Business

None.

New Business

Ordinance No. 2021-29. An Ordinance rezoning real property containing approximately 35 acres, more or less, located at 860 Holman Avenue from A-1 Large Scale Agricultural District to L-1 Light Industrial District.

Mr. Chesar explained this is a rezoning request for 35 acres located at 860 Holman Avenue from A-1 Large Scale Agricultural District to L-1 Light Industrial District.



Mr. Funk moved to consider this the first reading of Ordinance No. 2021-29 and have it read by title only; seconded by Mr. Hickman. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2021-29 by title only.

Mr. Funk moved to approve the first reading of Ordinance No. 2021-29; seconded by Mrs. Hale. Roll call vote: seven ayes. Motion carried.

Mayor Frentzel announced the purpose and procedure for the public hearing on Ordinance No. 2021-29 as follows:

“The request will be presented by the Director of Development. Following this presentation, anyone wishing to speak in favor of the proposal will be given an opportunity to speak. After all proponents have spoken, the opponents will be given an opportunity to present their case. Speakers are asked not to repeat the same ideas which have been previously presented but indicate that they agree with a previous speaker. All persons speaking are subject to cross examination and must be sworn. Council has the opportunity to question any speaker after they have completed their presentation. Once the public hearing is closed, individual speakers have no right to comment during discussion by Council members.

Having been sworn, Mr. Chesar presented proof of notification of the public hearing in the newspaper and proof of the notification to surrounding property owners.

Mr. Chesar stated that Thomas Miller, property owner of 860 Holman Avenue, has requested a Zoning Map amendment for the property from A-1 Large Scale Agricultural to L-1 Light Industrial. The property is presently undeveloped and is approximately 35 acres. The applicant has stated they seek to return the property to the previous zoning of industrial, which the applicant states is a better fit with the area and existing businesses already on Holman Avenue.

From a Council perspective, Planning and Zoning Code Section 1203.03 refers to Council’s review and decision. Planning Commission makes a recommendation to City Council. Thereafter, Council holds a public hearing and shall either adopt or deny the recommendation or adopt some modification thereof. The same section contains the review criteria for recommendations and decisions on text or map amendments.

Criteria

- 1. Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact since the time that the original text or map designations were established.*

This property, prior to the major Code update/rewrite in 2010-2013, had been zoned industrial. In 2013, the property was rezoned to A-1 Large Scale Agricultural.



2. *Whether the proposed amendment is consistent with the comprehensive plan or other applicable City plans.*

We are currently operating under the existing 2010 Comprehensive Plan, which calls for the property to be agricultural and the proposed Comprehensive Plan calls for the property to be some type of industrial.

3. *Whether the proposed amendment is consistent with the purpose of this code.*

The Planning and Zoning Code states “the purpose of a text or map amendment is to make adjustments due to changed conditions, changes in public policy, recommendations of the comprehensive plan, or that are necessary to advance the health, safety, and general welfare of the City.” The proposed amendment may be consistent with the purpose of the Code in its ability to react to changed conditions over time as well as the comprehensive plan.

4. *Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.*

The proposed amendment does not necessarily address a demonstrated community need, as there is readily available industrial land elsewhere in the City.

5. *Whether the proposed amendment will protect the health, safety, morals, and general welfare of the public.*

The proposed zoning does not appear to negatively affect the health, safety, morals, and general welfare of the public. It should be noted that the agriculturally zoned properties to the east are owned and utilized by Duke Energy or its subsidiaries and based on past conversations, it would appear there are no plans to further develop the properties beyond utility usage.

6. *Whether the proposed amendment will result in significant mitigation of adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation.*

The proposed amendment, should the rezoning result in a new industrial development, would certainly have some impact on the existing natural environment, as any development would. However, City development standards would regulate development of any new site.

7. *Whether the proposed amendment will ensure efficient development within the City.*

A zoning amendment for light industrial purposes may be logical as a continuation of the industrial uses already on Holman Avenue.

8. *Whether the proposed amendment will result in a logical and orderly development pattern.*

The applicant has stated a rezoning to industrial would fit with the area and the existing surrounding business along Holman Avenue. The property to the north in Middletown is AK Steel operations. The property to the east belongs to Duke Energy and is being used for utility development. There is



agriculturally zoned property to the south, as well as residential property south of that along Todhunter Road.

Mr. Chesar advised there were not comments from any other department or the public. On May 18, 2021, Planning Commission gave a favorable recommendation to City Council to rezone the property as requested. Mrs. McElfresh asked if Mr. Chesar knew what is proposed for the land. Mr. Chesar replied he was not aware of what is proposed only that the intent of the existing property owner is to sell the entire property and has no interest in dividing the property into separate parcels.

Proponents

Having been sworn, Darryl Dunn, Broker and Realtor of Greentree Realty, represented the property owners and submitted for the record a map that shows where the houses are located near the property. He informed Council that the property owners have received interest in purchasing a portion of the property; however, the property owners do not want to divide it up.

Mr. Funk moved to accept the documents for the record; seconded by Mrs. Hale. Voice vote. Motion carried.

Mr. Funk moved to close the public hearing; seconded by Mr. Hickman. Voice vote. Motion carried.

Emergency Resolution No. 45-2021. A Resolution to accept the material terms of the One Ohio Subdivision Settlement pursuant to the One Ohio Memorandum of Understanding and consistent with the terms of the July 21, 2021 National Opioid Settlement Agreement, and declaring an emergency.

Mr. Brock explained this is for the Ohio Opioid Settlement as recommended by the Ohio Attorney General's office.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 45-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Wagner. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 45-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 45-2021; seconded by Mrs. Hale. Roll call vote: seven ayes. Motion carried.

Resolution No. 46-2021. A Resolution authorizing the City Manager to enter into a professional engineering agreement by and between the City of Monroe and Brandstetter Carroll Inc. for additional design services for the Great Miami River Trail.

Mr. Brock stated this allows for additional engineering services for the Great Miami River Trail.

Mr. Funk moved to consider this the first reading of Resolution No. 46-2021 and have it read by title only; seconded by Mr. Callahan. Voice vote. Motion carried.



The Clerk of Council read Resolution No. 46-2021 by title only.

Mr. Funk moved to approve the first reading of Resolution No. 46-2021; seconded by Mr. Hickman. Roll call vote: seven ayes. Motion carried.

Resolution No. 47-2021. A Resolution authorizing the City Manager to enter into an extended and amended Lease Agreement by and between the City of Monroe and the Monroe Lending Library for space located at 6 East Avenue.

Mr. Brock advised the Monroe Lending Library would like to renew their lease and extend it for another five years. We have also been talking with the Mid Pointe Library as it is the City's desire to have library services in the future.

Mr. Funk moved to consider this the first reading of Resolution No. 47-2021; seconded by Mrs. McElfresh. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 47-2021 by title only.

Mr. Funk moved to approve the first reading of Resolution No. 47-2021; seconded by Mr. Callahan. Roll call vote: seven ayes. Motion carried.

Consideration of Motion authorizing the lease of a Nissan Rouge for the Assistant Director of Public Works and other Public Works Administrative staff.

Mr. Funk moved to authorize the lease of a Nissan Rouge for the Assistant Director of Public Works and other Public Works Administrative staff; seconded by Mrs. Hale. Voice vote. Motion carried.

Consideration of Motion accepting the April and May 2021 Finance Reports as submitted.

Mr. Funk moved to accept the April and May 2021 Finance Reports as submitted; seconded by Mr. Callahan. Voice vote. Motion carried.

Administrative Reports

As a follow-up to the request for a four-way stop on Apple Knoll Lane, Mr. Brock is having a speed study prepared and will be sending out a letter to each of those residents and getting their opinion of the request. Once received, we will submit to Council.

Mr. Hickman asked if public opinion would be sought for the speed limit on Lebanon Street as is being done for a stop sign in the Apple Knoll subdivision. Mr. Brock advised it could be sought; however, he understood a petition was submitted by the residents on Lebanon Street. Mr. Hickman did not feel that any change should be treated differently.

Mrs. McElfresh noted that anytime you are able to garner feedback from the community is a good thing.



Mr. Brock welcomed any Council member to look at the construction in the lower level after the meeting.

Mr. Hickman pointed out that the dog park appears to be at a standstill. Mr. Morton reported that they are waiting on the fencing contractor to finish and the installation of the water fountains. Mr. Hickman commented that Monroe has been talking about a dog park for at least 10 years and during those discussions one name came up for the park was “Monrover Park.” There was no objection from Council to bring this up at the next meeting.

Mr. Funk moved to adjourn into executive session to discuss the employment of a public official; seconded by Mrs. Hale. Roll call vote: seven ayes. Motion carried.

Council adjourned into executive session at 7:27 p.m.

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

Council reconvened into regular session at 7:37 p.m.

Mr. Morton addressed Council on his proposal for the 2022 budget to lease/purchase seven new snow plow trucks. They would be fully equipped. Mr. Morton did speak with the Finance Director and she believed that we had the funds available for this over the next five years. Mr. Morton explained that proceeding with locking in the price will not prohibit Council from not proceeding with this lease/purchase.

Mr. Hickman has heard from staff that leasing was great and then staff said leasing was terrible. He questioned how often Council will hear this and will not be voting to lease additional vehicles.

Mr. Morton advised that the lease/program for the trucks is \$213,000 per year for five years versus paying \$400,000 for the purchase of two new trucks.

Mr. Callahan stated that if the trucks are purchased the City pays for any maintenance and asked Mr. Morton if maintenance was included in the lease/purchase. Mr. Morton advised it is not and the trucks are serviced by the dealer in Cincinnati.

The majority of Council did not object with locking in the price.

Adjournment

Mr. Funk moved to adjourn; seconded by Mr. Hickman.

The regular meeting of Council adjourned at 7:59 p.m.

Respectfully submitted,

Angela S. Wasson, MMC



Clerk of Council