

**Monroe Council Minutes**  
**Regular Meeting of Council**  
**April 13, 2021 – 6:30 p.m.**  
**233 South Main Street, Monroe, Ohio**

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***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 Mr. Routson. Voice vote. Motion carried.

***Approval of the Minutes***

Mr. Funk moved to approve the Council Minutes of March 23, 2021 and Public Safety Committee Minutes of March 30, 2021; seconded by Mrs. McElfresh. Voice vote. Motion carried.

***Visitors***

The Clerk of Council read into the record the following email received by Council.

Date: April 7, 2021

To: Mr. Bill Brock  
Monroe City Council members

Subject: Semi traffic on Todhunter Road

We, the residents of Todhunter Rd, are disputing the allowance of semi-trucks on Todhunter west of Salzman/Yankee and East of Route 4.

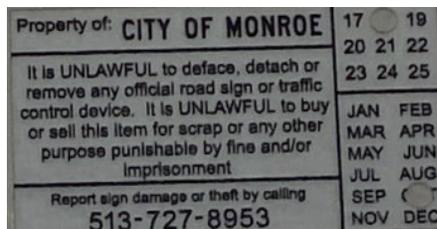
This road was not made for trucks to drive on. It is a residential street with "Watch for Children" caution signs (pic 1), 35MPH zone. Plus, we will be affected by decreased home values, truck noise, inevitable property damage and additional wear and tear to the road itself. There are "no truck" signs (pic 2) on both ends of Todhunter that have been there for years. Mr. Brock recently stated that the sign was misplaced by the ex-Director of Transportation, pic 2a is the date the sign next to Yankee has been there, if it was misplaced why wasn't it moved years ago? There's also a "Thru Truck" sign (pic 3) on Yankee heading south onto Salzman that directs truck traffic to continue straight. Salzman road was built to provide thru truck access to Yankee Rd industrial area to avoid residential & school zones.



Picture 1



Picture 2



Picture 2a

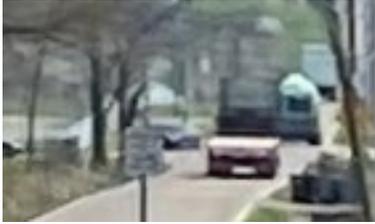


Picture 3

Semi's drive on a standard road size of 12'. The minimum practicing standard is 11', Todhunter is 10'4". Semi width is 10'6". If a semi drives in the center of the lane they're hanging over 1" on each side. However, they don't drive in the center of the lane, they

drive over the yellow center line as seen in **pictures 4 & 5** of a semi that turned out of the Todhunter access illegally and a crta bus that travels multiple times a day on Todhunter.

This semi driver came back later that day and residents spoke with him. He stated that his GPS directed him out that access & it was extremely difficult for him to turn left due to the blind curve. He had to pull into the street to see if it was clear (picture 6) and almost got hit by a box truck. He also commented how the road is too narrow, and no one would've got by him. He moved over the yellow center line because the ditch "scared" him, picture 4 shows how far to left he is. He then stated he had to swing way out to turn right onto Salzman and crossed over the middle lane.



Picture 4

Picture 5

Picture 6

Imagine a semi & a school bus on this road, who's going into the ditch? What about an Emergency vehicle – Fire Truck, EMT? he right; this pick up is off the road (pic 7) & he takes up almost the full lane, he wouldn't get by if it re. And what about that fire hydrant? A vehicle swerving to avoid a semi would knock that out.



Picture 7

At the opposite end of Todhunter on the "S" curve when a truck illegally turns in, they either can't make the curve or end up getting caught on the wires both cause truck to tip over. (pic 8&9)



Picture 8



Picture 9

There are 2 access drives off Yankee road (pics 10-12). Trucks should be using this as entrance and exit. The road was built for truck travel with a center turn lane as well. When this corner lot was first being prepped for the warehouse the Todhunter residents were told that the access off Todhunter was for Emergency use only. Now we have heard that someone has agreed if the culvert is strengthened and Todhunter access is widened 3 feet, so trucks don't have to swing into residents' yards then trucks can use Todhunter. The culvert they installed is way too narrow, no vehicle will be able to pass a semi there unless they want to take a nosedive into the ditch. The Todhunter access is approximately 55' now while the Yankee Road accesses are 46' & 49' they're smaller why?? Why does Todhunter 55' access have to be widened? Because Todhunter Rd is not wide enough to begin with and Yankee is plenty wide to make a turn. Pictures 13 & 14 show that semi turning onto Todhunter, almost hitting a resident's mailbox while his tires are on the other side of the curb where the access is marked to be widened. It will only be a matter of time before the mailbox is hit, the yard is torn up, or cars coming around the bend end up in the front yard, IF semi's are

allowed in and out of this access. And recall this driver said he could not see what was coming around the blind bend when he pulled out.

Picture 10



Picture 11



Picture 12

Picture 13

Picture 14

We strongly urge that this access be an Emergency vehicle access only. We have seen many employee's personal vehicles flying out of this access and turn on Todhunter without stopping or checking if it was clear to pull out. There should be a stop sign at the end of this access, but that will block the view of the blind curve even more. **Pictures 15 & 16** show the blind curve view at 2 points.

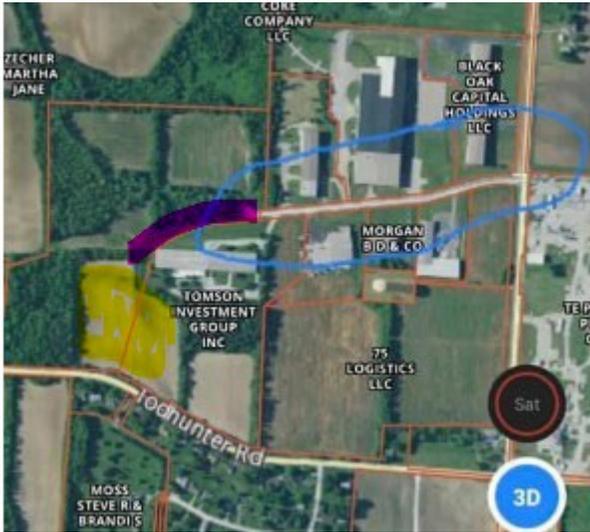
Picture **15** shows the blind curve if a vehicle stops prior to entering the road & picture **16** shows when vehicle moves up with their vehicle partially in the road. You CANNOT see a vehicle coming, the speed limit is 35 but vehicles fly 50+mph on this road which could cause a very serious accident. This access really is an accident waiting to happen, it is not safe. Yankee Rd access is much safer for all.



Picture 15

Picture 16

Regarding the additional Middletown parcels that are being plotted out for future warehouses (yellow highlight in pic 17), their access should come from Made Industrial Dr (blue circle pic 17) off of Yankee Rd. Made Industrial road can be extended (purple highlight pic 17) to meet those parcels & add Emergency access only off Todhunter Road. The business (Tomson Investment Group) that sits behind that parcel sits at the end of Made Industrial Dr so a short extension would be needed plus the parcels north of Tomson Investment would eventually need that road extended. Then all traffic would be directed off Yankee onto Made Industrial Dr. bypassing Todhunter Rd.



Picture 17

Todhunter Rd is not made for semi's, it is a residential road, it is narrow, & has multiple curves. Our children must drive on this road to go to/from school, they don't need to be met with a semi coming at them and veer off into a yard, trees, fire hydrants or a steep ditch. Please consider them and all citizens, and residents of this area that have to use this road daily & keep semi traffic off it. Keep Todhunter Rd safe.

Signatures

Printed Name	Signature	Email address
Mark Zimmerman		mark.zimmerman5@gmail.com
Lawrence Osborne OSBORNE PAT OSBORNE	Lawrence Osborne  PAT Osborne	PAT OSBORNE 190 Jmail.com
Rufus & Kella Miller	Rufus & Kella Miller	
Ann Bedford		annbedford@yale.edu.com
Aaron Bedford		aaron.bedford@yale.edu.com
STEVE KLEINBAUM		kleinbaum@ciwi.edu.com
Helen J. Hill	HELEN J. HILL	
Margaret Jenkins	Margaret Jenkins	old oldtimer3129@gmail

Signatures

Printed Name	Signature	Email address
Angela Johnson		Angsydhoja@aol.com
Jessica Zimmerman		Zimmermanfamilyof4@aol.com
Sydney King		sydney.king77@ gmail.com

**Petition for NO TRUCKS on  
TODHUNTER RD**

Name & Email	Name & Email	Name & Email
Bethany Lister Bd_starkey@yahoo.com	Karl & Pam Knake 3316 Carol Ann Ln Khknake@yahoo.com	
Mark and Betty Evans Marksr45@yahoo.com	Kelli Miles 6038 Todhunter Kmiles002@cinci.rr.com	
Eve	Krista House Housekrista00@gmail.com	
Jennifer MacDonald Jennymac63@yahoo.com		

Patricia Osborne of 6307 Todhunter Road expressed concern about semis utilizing an access road from the industrial park located in the City of Middletown to Todhunter Road rather than using Yankee to Salzman.

Mayor Frentzel pointed out the property the current warehouse sits on has an entrance and exit off Yankee Road in addition to the exit on Todhunter and asked why there talk of using the access road on Todhunter Road and not Yankee Road.

Mr. Brock advised that there are representatives from the builder and the owner of the warehouse to answer any questions. It is Mr. Brock's understanding that when the building was initially built it was a spec building and did not have a user. Currently, there are two users located in the building.

Mayor Frentzel asked why they cannot use the entrance and exit off of Yankee Road.

Mr. Callahan agreed with all of the neighbors and have wondered what we could do with this problem. He believes their GPS is not letting them know the Yankee Road exit exists. Mayor Frentzel agreed that more traffic needs to use Yankee to Salzman. We do also need to be concerned with additional development in that area. Mr. Callahan doesn't think they need an access road on Todhunter and if it remains it should only be used for employees, not semis.

Mr. Routson stated that the exit from that building, until they get on the highway is not anything Monroe can do. Mr. Brock has been working with the City of Middletown. Middletown has approved a lot of what is going on and suggested that Mr. Brock work with the City of Middletown. There are signs that say no trucks. The majority of trucks are using Salzman.

Mayor Frentzel asked Mr. Brock asked how much interaction has there been between Monroe and Middletown. Mr. Brock advised he has not communicated with Middletown in over a year.

Doug Swain, with the OPUS Development Company who is one of the developers of the subject property, expressed his appreciation of the residents concern and stated they always try to take into consideration neighboring properties. We felt we did that as we had a Traffic Study that was completed. As part of the flow of truck traffic in and around these warehouses it is important that we have means of egress on both sides of the building. The Traffic Study suggested that no truck traffic would go west of our building and the truck traffic that was to go east was to be accommodated, in part, through the replacement of a culvert that was considered small and insufficient to handle heavier traffic or even more traffic. We did replace that culvert at cost of approximately \$250,000 to \$300,000. We are only really talking about the traffic that comes from our property east to that intersection. Mr. Swain advised they did have conversations with Mr. Brock and have offered our turn lane at our cost that would allow better radius of turnability. He does not believe that is a primary entry and exit as he believes that the primary is on Yankee. We do want the ability to bring some trucks as there would be some through traffic and it would come out of that road, turn left, and to State Route 63. There may be a longer term discussion because there will continue to be development there. We appreciate the efforts of Mr. Brock to try to increase the maneuverability and turn lane onto Todhunter.

Mr. Funk believes that they did their due diligence in terms of that property and knows that a lot of studies and plans go into any development. So you understand where we sit, you might not expect a lot of traffic at that access or a tenant may use it or could experience higher traffic than expected.

Those are things that we are expected to take care of our residents. It has nothing personal to do with the developers, but we have to do our due diligence as well.

Chris Ingram, Attorney for the OPUS Group, stated the OPUS Group wants to be a good neighbor to Monroe and its residents. Back in 2018 when this facility was designed the City of Monroe or its staff participated in and was consulted about the Traffic Impact Study. They evaluated the full truck traffic along Todhunter Road servicing this warehouse and there were no issues except the culvert, which the OPUS Group addressed at their own cost and expense. If there are truck issues, and it sounds as if a lot of the issues have nothing to do with this site, but elsewhere. Perhaps in the City of Middletown or Monroe. As it pertains to this site Mr. Ingram cautioned the City as a matter of Ohio law the City of Monroe cannot arbitrarily, capriciously, or unreasonably in the restriction of the use of Todhunter Road. The City was consulted in 2018 about the design and the three access points that we talked about. The professionals opined and weighed in and said there is nothing wrong with the access point on Todhunter Road. Our client incurred the cost of an expense of a culvert to handle the truck traffic. Now that the infrastructure is built, the warehouse is leased up, now for the City to somehow change its position; you can see why it is arbitrary and unreasonable to wait until everything is built up. Nevertheless, as Mr. Swain mentioned the OPUS Group is willing to work with Monroe and the residents on a very sound solution as far as the access point to Todhunter Road that he understood Mr. Brock is evaluating now. As we move forward we would ask that the City keep in mind that the whole time we have worked with the City of Monroe and the City of Middletown and will continue to do so. At the end of the day, we are here to find a reasonable solution given the history of everything that has happened. As it was pointed out this facility is in the City of Middletown not in the City of Monroe, so that does implicate a clear limitation on the City's police powers with respect to what it can and cannot do in restricting the use of this particular property.

Addressing Mr. Ingram, Mr. Funk stated it may not be in our city limits and that is not going to stop us from doing what we need to do for our residents. In terms of what we are capable of, Mr. Funk will defer to our Law Director.

Law Director Callahan appreciates Mr. Ingram's position and while the site is located in Middletown, Todhunter Road is entirely located in Monroe. Law Director Callahan will review everything and let City Council know what their options are from this point going forward.

Mr. Hickman asked Mr. Swain who they worked with to put in the culvert. Mr. Swain replied that was a result once the Traffic Study was completed. They will look through their correspondence to determine who they were working with at the City of Monroe.

Mr. Hickman asked if a permit was obtained to put that access on Todhunter. Mr. Swain advised that we would have obtained any permits that were asked of us; however, he cannot specifically recall which permits were required. They will go back to go look through the record. Mrs. McElfresh requested a copy of that permit if it exists.

Mr. Ingram advised they will be happy to go through their records and asked the City of Monroe to also go through their records.

Mayor Frentzel asked if the City of Monroe has a copy of the Traffic Impact Study and Mr. Brock advised that he included it with his supplemental report last week.

Mr. Brock noted the culvert that was replaced was within Todhunter Road in between Salzman Road and the drive access.

Mrs. McElfresh advised the City of Monroe put up a no truck access sign in 2018, so today there are no trucks permitted from Salzman Road to State Route 4.

Mr. Swain, based on the Traffic Study, everything west of our entrance would prohibit truck traffic.

Mr. Ingram advised that we are only talking about 1,600 feet for truck access on Todhunter Road for the frontage of the warehouse.

Mayor Frentzel pointed out that the curve is there and when the vegetation grows up in the area it makes it a blind curve and was surprised that the traffic would not have been a concern.

Mrs. McElfresh hoped that the businesses that occupy that building will respect this issue until we get it worked out and not utilize that access. Mr. Swain advised that he will bring it to their attention.

### ***Committee Reports***

Mr. Hickman received a call from a gentleman that has a Monroe Premier Soccer Team and they would like to use the soccer fields at Monroe Crossings Park. It is his understanding that the Monroe SAY soccer are the only ones that can use those fields. Mr. Brock will review that agreement. Mr. Hickman asked about putting a soccer field the Monroe Crossings Park and Mr. Brock replied that would have to be brought up to the Park and Recreation Board.

Mr. Routson recommended that they perhaps utilize some of the fields the school has. Mr. Funk noted that those organizations with the use agreements put in a lot of work in those fields and saves a lot of work for the City.

### ***Old Business***

**Resolution No. 20-2021.** A Resolution authorizing the City Manager to enter into a professional engineering services agreement by and between the City of Monroe and Fishbeck for the East Avenue Water Main Replacement Project. (Second Reading)

Mr. Morton gave a presentation about this project and showed what this water main will do for our system. It is important to have redundancy in our water system otherwise our water system is in danger of not withstanding a large main break, fire or other type of natural disaster. Without this connection our fire flow ratings are not in compliance with Insurance Services Organization (ISO). If we lose a connection at Britton and State Route 63 we would not be able to sustain fire flow to anything north of State Route 63. Without the connection at Britton Lane we would drain the North Main Street tank in 72 hours. It will allow us to fill our Main Street tower to capacity and all the Main Street tower and the Mound tower to fill equally.

Mr. Morton added that just because it has been down for so long doesn't mean it is not critical.

Mr. Funk asked, with the current connection that is down, did you pull the coverage area that is not ISO compliant. Mr. Morton replied there are parts that are in compliance and parts that are not. Mr. Funk agreed with the importance of the redundancy because we still have to be able to take care of our residents and not risk losing the compliance of the ISO status as that drastically influences the rates of our residents.

Mayor Frentzel noted if that main does break, not saying that we couldn't repair in 72 hours, but there is a risk that tank could be drained.

Mr. Morton added there are several small connections under State Route 63 and they are not capable to put the water to the north side of State Route of 63.

Mr. Hickman stated it is a much bigger project than what we are talking about. Mr. Morton confirmed this and explained that it would start at Cincinnati-Dayton Road, then east along State Route 63 until it hits East Avenue. It will be bored along State Route 63 and run up East Avenue to Lebanon Street, then west down Lebanon Street to Main Street and tie in. We did look up running up Main Street and from a construction standpoint and traffic impact, this was the most feasible route than trying to up Main Street.

Mr. Funk moved to consider this the second reading of Resolution No. 20-2021 and have it read by title only; seconded by Mr. Routson. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 20-2021 by title only.

Mr. Funk moved to adopt Resolution No. 20-2021; seconded by Mr. Routson. Roll call: five ayes; one nay (Hickman). Motion carried.

### ***New Business***

**Emergency Resolution No. 21-2021.** A Resolution approving a Then-and-Now Certificate in the amount of \$5,400 to the Ohio Association of Chiefs of Police and declaring an emergency.

Mr. Brock noted this relates to the cost in the assessment process for our promotion of sergeant.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 21-2021 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. 21-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 21-2021; seconded by Mrs. McElfresh. Roll call vote: six ayes. Motion carried.

**Emergency Resolution No. 22-2021.** A Resolution authorizing the City Manager to enter into an assignment agreement by and between the City of Monroe, Butler County Commissioners, and CSX Transportation, Inc., and declaring an emergency.

Mr. Brock reported there is an easement that goes under CSX railroad track into Monroe Bicentennial Commons that previously held a sanitary sewer lateral to the park. Butler County is requesting that the City take over that easement.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 22-2021 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. 22-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 22-2021; seconded by Mr. Routson. Roll call vote: six ayes. Motion carried.

**Emergency Ordinance No. 2021-11.** An Ordinance amending Ordinance No. 2021-09 to correct a typographical error and declaring an emergency.

Mr. Brock explained this increases the trash rates and the intent of the legislation previously adopted by City Council was to begin the increase May 1, 2021; however, the legislation read May 1, 2024.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Ordinance No. 2021-11 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 Ordinance No. 2021-11 by title only.

Mr. Funk moved to adopt Emergency Ordinance No. 2021-11; seconded by Mrs. McElfresh. Roll call vote: six ayes. Motion carried.

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

Mr. Brock noted this legislation was Council initiated.

Mr. Funk agrees 100% to add this language and just to make sure people know where we stand. Mrs. McElfresh and Mayor Frenznel agreed.

Mr. Brock sought clarification of enforcement and staff would have to enforce this new rule. Mr. Funk replied we would enforce anything if something hazardous is out in the road. If it is called or a patrol officer sees it they call out their behavior. It is my understanding that it is mostly businesses and it may only take that one time to tell them. Mrs. McElfresh agreed and it is how you normally handle this you would handle it the same way.

Mr. Funk moved to consider this the first reading of Ordinance No. 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 approve the first reading of Ordinance No. 2021-12; seconded by Mr. Hickman. Roll call vote: four ayes; two nays. (Routson and Callahan). Motion carried.

## *Administrative Reports*

- Strategic Priorities Update

Mr. Brock provided an update of the strategic priorities established by Council. Those priorities were:

- Well Managed Services and Infrastructure
  - Proactive Management Approach. To develop a proactive agenda management system and communication framework that provides timely and useful information for decision making. This was assigned to the City Manager's office working with Council in that area. Right now, the City Manager's office, myself, and the Clerk of Council are working to implement what existing software we have. We have an agenda management software that was purchased several years ago and has a lot of functionality in it. We are working to getting that up to speed in working with Council. In the future we will talk about how to best get that information out to you in a useful fashion. It is technology driven so there will be some training involved in that.
  - Infrastructure Management. Develop a five year capital investment plan. Council received, as part of the permanent appropriations, a five year capital investment plan that was a draft as submitted. We will continue to add information to that and develop the budget for next year. Look forward to a budget retreat this year so we can start prioritizing what year some of those capital improvements get funded as a plan. Items are not funded until budget is appropriated, but at least we can start looking out five years or more and making sure we are prepared and saving or finding a funding mechanism for those items.
  - Staffing Resources. This dealt with developing a work plan and service agreements for a human resources officer. We brought that earlier this year for consideration and pulled that back. The City Manager's office has been working with the departments to develop that work plan and service level agreements to ensure that we understand what that position is going to be doing. We will be bringing that request at your next meeting.
- Strategic Growth and Development
  - Strategic Approach to Maintaining a Small-Town Feel. The key action item was the completion of the Comprehensive Plan and educating the boards and commissions on its contents. This is assigned to the Development Department. The final draft is being completed for review by the steering committee so they can have one final review on it. Once that occurs we will start the public hearings at Planning Commission and then Council. There were a lot of limitations of not having the ability to meet in person and expects within the next month, if we can get the steering committee together, that will happen.
  - Development of a Community Hub. This relates to the Monroe Bicentennial Commons Master Plan. There was a pre-construction meeting today for the contractor to start Phase 1 of the construction. Mr. Chesar is identifying what will be included in Phase 2 and begin to work with the design contractor to develop costs for Phase 2 of that project.
- Communication and Interpersonal Connections

- Dedicate a communication resources to develop a communications needs assessment and position requirements. This had to do with some discussion Council and staff had around public information, social media, those types of things. We intend to begin working on developing that needs assessment and position requirements in quarter four of this year.
- Soliciting Community Input. Part of this we are beginning to gather some of that information, but it is going to be dependent on that first goal.
- Community Engagement. Developing a list of all community groups and their points of contact. A preliminary list has begun and Public Involvement and the City Manager's office is involved with this. Part of this is getting the information for the Community Room.
- Parks and Connectivity
  - Creating a Formal Organizational Structure and Staffing for Parks and Recreation. Develop parks maintenance service level and identify the staffing resources required to meet them. This is scheduled to be discussed during third quarter during the budget retreat. A lot of that is going to be dependent on those service levels that Council anticipates that we want to have. What programs you want to have. What kind of services do you want to provide in our parks. We can then start to develop a plan to put together what our staffing needs would be for that or how else we may meet those needs.
  - Growing Parks and Recreation Service Offerings. Identify community recreation program needs. Preliminary work has begun through the Park Board. They have been asked to reach out to certain individuals within the community to start building that program need of what is there now before we start adding to it. That comes into play as we continue to look at the park space we have and looking to develop more park space for those increasing needs.
  - Trails and Connectivity. Develop a trails and connectivity plan aligned with the new Comprehensive Plan. We are not going to wait until that Comprehensive Plan is completed because I think we understand how important this is to Council. We have just begun on what we need to put that plan together. We continue to work on the Great Miami River Trail and work with surrounding jurisdictions are that we want to connect to. We will start building that plan and putting together what we need in this quarter of the year.

Mr. Brock intends to bring updates to Council quarterly.

Mr. Funk and Mayor Frenzel appreciate the updates.

Mr. Hickman asked Mr. Morton if the representative of the Ohio United Monroe attended the Park and Recreation Board meeting tomorrow evening. Mr. Morton advised that it is okay.

Mr. Hickman moved to adjourn into executive session to discuss the employment of a public employee; seconded by Mrs. McElfresh seconded. Roll call vote: six ayes. Motion carried.

Council adjourned into executive session at 8:11 p.m.

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

Council reconvened into regular session at 8:41 p.m.

*Adjournment*

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

The regular meeting of Council adjourned at 8:41p.m.

Respectfully submitted,

Angela S. Wasson, MMC  
Clerk of Council