



**Monroe Council Minutes
Regular Meeting
July 12, 2022 – 6:30 p.m.
233 South Main Street, Monroe, Ohio**

Pledge of Allegiance

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

Roll Call

Council members present: Marc Bellapianta, Tom Callahan, Kelly Clark, Jason Frentzel, Christina McElfresh, and Ben Wagner.

Mr. Bellapianta moved to excuse Mayor Funk; seconded by Mr. Wagner. Voice vote. Motion carried.

Approval of the Minutes

Mr. Frentzel moved to approve the Finance Committee Minutes of June 28, 2022, Council Minutes of June 28, 2022, and Public Works Committee Minutes of June 30, 2022; seconded by Mr. Bellapianta. Voice vote. Motion carried.

Visitors

None.

Committee Reports

On behalf of the Public Involvement Committee, Dr. Clark thanked everyone that was involved in planning the Fourth of July festivities. Dr. Clark thanked Shawn Peoples, Julie Cloyd, and the Council of Churches for organizing the parade; Middletown Community Foundation for the \$5,000 grant; Mr. Brock for submitting an application for the grant; Police and Public Works; and the six volunteers with the Monroe Lions Club. Dr. Clark gave a special thank you to Tia Coris who came forward and made a craft table for the kids and helping the Lions Club.

Mr. Wagner reported that Mr. Morton presented preferred sites for a new Public Works facility during a Public Works Committee meeting held last week.

Mr. Bellapianta reported that a Public Safety Committee meeting was held and community events, an additional School Resource Officer, and staffing at the Police Department was discussed.



Old Business

Resolution No. 28-2022. A Resolution authorizing the City Manager to enter into an agreement for professional engineering services with Jones-Warner Consultants, Inc. for the Brittany Heights Subdivision Catch Basin Project. (Second Reading)

Mr. Brock stated this provides design services for the final phase of the catch basin project in the Brittany Heights subdivision.

Mr. Frentzel moved to consider this the second reading of Resolution No. 28-2022 and have it read by title only; seconded Mr. Bellapianta. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 28-2022 by title only.

Mr. Frentzel moved to adopt Resolution No. 28-2022; seconded by Mr. Wagner. Roll call vote: six ayes. Motion carried.

Ordinance No. 2022-17. An Ordinance accepting a 20 foot water main easement from the Monroe Local School District Board of Education. (Second Reading)

Mr. Brock reported this allows the City to accept a 20 foot water main easement from the Monroe Local School District.

Mr. Frentzel moved to consider this the second reading of Ordinance No. 2022-17 and have it read by title only; seconded by Mr. Bellapianta. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2022-17 by title only.

Mr. Frentzel moved to adopt Ordinance No. 2022-17; seconded by Dr. Clark. Roll call vote: six ayes. Motion carried.

New Business

Resolution No. 29-2022. A Resolution authorizing the City Manager to enter into an agreement by and between the City of Monroe and Fidelity Health Care to provide an employee assistance program.

Mr. Brock advised this allows for an employee assistance program with a different company that offers more services at a more affordable rate.

Mr. Frentzel moved to consider this the first reading of Resolution No. 29-2022 and have it read by title only; seconded by Mr. Bellapianta. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 29-2022 by title only.



Mr. Frentzel moved to approve the first reading of Resolution No. 29-2022; seconded by Mr. Wagner. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 30-2022. A Resolution adopting a Tax Budget for the City of Monroe, Ohio, for the 2023 fiscal year and declaring an emergency.

Mr. Brock noted this is for the annual tax budget and Randy Groves, Interim Finance Director, will be giving a presentation.

Public Hearing: Emergency Resolution No. 30-2022. A Resolution adopting a Tax Budget for the City of Monroe, Ohio, for the 2023 fiscal year and declaring an emergency.

Vice Mayor McElfresh opened the public hearing and advised that it will run as follows: The 2023 Tax Budget will be presented by the Interim Director of Finance. Following this presentation, anyone wishing to speak will be given an opportunity to speak. Council has the opportunity to question any speaker after they have completed their presentation.

Mr. Groves stated that the Tax Budget must be adopted by July 15, 2022 and filed by the County Budget Commission by July 20, 2022. The purpose of the Tax Budget is to present to the County Budget Commission the City's voted and non-voted property taxes are still needed to maintain City services. The Budget Commission analyzes the funds that are receiving property taxes to make sure there is still a need. There is emphasis on the funds that receive the property taxes which are the General Fund, Fire Levy Fund, and the Police Law Enforcement Fund. These funds show comparative statements for current year as budgeted to preceding actual financial activity and projected for 2023. All other funds are shown in a summary statement that projects receipts and fund balances for 2023. The Budget Commission will send back to the City a Certificate of Estimated Resources.

Mr. Frentzel moved to close the public hearing; seconded by Mr. Bellapianta. Voice vote. Motion carried.

Mr. Frentzel moved to suspend the rule requiring the reading of Emergency Resolution No. 30-2022 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Bellapianta. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 30-2022 by title only.

Mr. Frentzel moved to adopt Emergency Resolution No. 30-2022; seconded by Mr. Wagner. Roll call vote: six ayes. Motion carried.

Mr. Frentzel moved to amend the agenda to consider Emergency Resolution No. 31-2022; seconded by Dr. Clark. Voice vote. Motion carried.



Emergency Resolution No. 31-2022. A Resolution authorizing the City Manager to enter into a cooperation agreement by and between the City of Monroe and County of Butler, Ohio for the Community Development Block Grant program and declaring an emergency.

Mr. Brock advised that the County requested approval legislation by this Friday. Most recently we received Community Development Block Grant funds for the ADA replacement program and restroom upgrades at Monroe Community Park.

Mr. Frentzel moved to suspend the rule requiring the reading of Emergency Resolution No. 31-2022 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Bellapianta. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 31-2022 by title only.

Mr. Frentzel moved to adopt Emergency Resolution No. 31-2022; seconded by Mr. Callahan. Roll call vote: six ayes. Motion carried.

Ordinance No. 2022-17. An Ordinance establishing Part Eighteen, Title Two, Chapter 1801 of the Codified Ordinances of the City of Monroe to establish a Historic Preservation Commission.

Mr. Brock reminded Council that Mr. Smith gave a presentation at the last Council meeting on the City becoming a Certified Local Government (CLG) Community. This ordinance is the first step in the process.

Mr. Smith emphasized that the legislation creates a Commission made up of five people. The Ohio Historic Connection is asking that among those Commissioners that two of the members have professional background in architecture, engineering and things of that nature and that one of them come from the Historical Society. The legislation presents a process for the execution of their duties and the guidelines for review of any construction, additions, alterations that would happen to the exterior façade or addition to buildings. Those would go to the Historic Preservation Commission and they would issue a Certificate of Appropriateness. The designated area is preliminarily based on the 2040 Advance Monroe Comprehensive Plan. It is proposed to be revised once a Commission is established and more stringent guidelines can be in place as to how the City wants to move forward with that. In order to have the Certified Local Government created it is proposed we adopt the Secretary of the Interiors design guidelines. One of the notable things with this is the legislation allows, as part of the CLG, grant funds and a 60/40 match and that is what is proposed to get design guidelines for the City. Subject to approval, we would submit an application for those grant funds. For private commercial developments only there is a 25% rehabilitation tax credit with a cap of \$5 million; however, effective September 13, 2022, Senate Bill 225 proposes to enhance the rehabilitation tax credit from 25% to 35% and \$5 million to \$10 million. As the legislation speaks right now, the Certificate of Appropriateness is not required for ordinary maintenance or repair of residential structures provided it does not change the type of material or appearance that is already in place.



Seeking clarification, Mr. Wagner stated if Council votes to adopt this it establishes a Commission. That is just the first step to make us eligible for grant money also, it would designate the Commission that would then set the boundaries of the district and the rules of the properties within that zone. Mr. Smith replied Mr. Wagner was correct. Mr. Smith explained that this would give a boiler plate of guidelines.

Mrs. McElfresh, to clarify, stated that passing this today does not put forth any geographic boundaries, it does not put forth any rules or regulations as far as any structures within that designated area, whatever that may be in the future. Mr. Smith explained that with the legislation the Secretary of the Interiors guidelines are adopted should an application come forward. Once the Commission is in place he will come to the Council asking that a 60/40 matching grant be applied for to establish Monroe's own guidelines. Mrs. McElfresh asked where Council falls with how this moves forward once the Commission is established for the guidelines or the determination of what is going to comprise of the historical district.

Mr. Smith explained that the historical district is an overlay zone, so it would be a map and text amendment Council would have to approve.

Mr. Frentzel inquired if items approved by this Commission would be brought to Council similar to the Planning Commission. Mr. Smith advised that if there is an interior alteration or an addition it would go to the Planning Commission for approval.

In response to Mrs. McElfresh's question, Mr. Smith stated that new construction would need to go to Planning Commission and to the Historic Preservation Commission to follow the historic review guidelines.

Mr. Wagner asked if there is a geographic zone outlined in this legislation. Mr. Smith advised that he had to leave that vague so the Commission could designate those boundaries, but the Ohio Historic Connection requires to have some sort of boundaries and he is proposing to adopt what has already been approved in the 2040 Comprehensive Plan. It begins around the Duke Energy substation is and down to around the end of the City Building and over to East Avenue.

Mr. Frentzel asked if he bought a house within the historic district would that have to be disclosed so he understood the rules and regulations. In addition, Mr. Frentzel asked if a resident could decide not to be a part of this. Mr. Smith advised it is like a zoning regulation and it is incumbent on the homeowner to know what they are buying. Mr. Frentzel asked how existing homeowners will know this designation has been adopted. Mr. Smith stated that is something to be determined once the Commission is established.

Mrs. McElfresh stated that she supports protecting and preserving our history, but she wants to make sure we are not harming someone's ability to sell or care for their property. She didn't want it to have a negative impact on those that already own property within the district.



Mr. Smith stated that the area in the Comprehensive Plan is the boundary right now and our guidelines are based on the Secretary of Interiors so we can get to the next step and create our own.

Mr. Wagner asked Mr. Brock if someone wants to put an addition on their house before the public hearings happen that lives in this zone or if a business wants to make an addition to their business, are there extra steps they would have to take before this Commission has the public hearings and any zoning made. Mr. Brock, in his opinion, replied no and it is something we can review and respond to prior to the second reading. Mr. Wagner did not want to put burdens on the homeowners. Mr. Wagner asked what could be done if the property owners in the zone came to the public hearing, after it was already established, and did not want it. Mr. Brock replied that Council could repeal this ordinance at any time. Mr. Wagner understood a historic district will have more strict guidelines, but he wants to make sure the property owners are aware of what Council is voting on.

Mr. Brock stated it is not dissimilar, but it adds that layer to the downtown zoning we have right now. There are different guidelines now in the downtown area. He noted similar to people not having that information yet they wouldn't know to apply.

Mr. Frentzel moved to consider this the first reading of Ordinance No 2022-17 and have it read by title only; seconded by Mr. Bellapianta. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2022-17 by title only.

Mr. Frentzel moved to approve the first reading of Ordinance No. 2022-17; seconded by Dr. Clark. Roll call vote: five ayes; one nay (Callahan). Motion carried.

Emergency Ordinance No. 2022-18. An Ordinance providing for the submission to the electorate of amendments to Section 4.01 and Section 4.06 of the Charter of the City of Monroe establishing term limits for members of City Council, to reduce the unexcused absences from four to three consecutive regular meetings, require the attendance of 66% of regularly scheduled meetings in a calendar year, and declaring an emergency.

Mr. Brock advised the next three ordinances are a repeat as the initial adoption of the legislation was too early.

Mr. Frentzel moved to suspend the rule requiring the reading of Emergency Ordinance No. 2022-18 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Bellapianta. Voice vote. Motion carried.

The Clerk of Council read Emergency Ordinance No. 2022-18 by title only.

Mr. Frentzel moved to adopt Emergency Ordinance No. 2022-18; seconded by Dr. Clark. Roll call vote: five ayes; one nay (Callahan). Motion carried.



Emergency Ordinance No. 2022-19. An Ordinance providing for the submission to the electorate of amendments to the Charter of the City of Monroe, Ohio, to provide for gender neutral references; require Council proceedings on public media platforms; include additional duties of the City Manager; add or eliminate departments; and declaring an emergency.

Mr. Frentzel moved to suspend the rule requiring the reading of Emergency Ordinance No. 2022-19 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 Ordinance No. 2022-19 by title only.

Mr. Frentzel moved to adopt Emergency Ordinance No. 2022-19; seconded by Mr. Wagner. Roll call vote: five ayes; one nay (Callahan). Motion carried.

Emergency Ordinance No. 2022-20. An Ordinance providing for the submission to the electorate of amendments to the Charter of the City of Monroe, Ohio, to amend what is to be adopted by an ordinance; permit legislation to be read by title only unless otherwise indicated; all resolutions to become effective immediately; increase the time limit for zoning public hearings from 30 to 60 days; eliminate the requirement for Council to authorize obtaining bids; and declaring an emergency.

Mr. Frentzel moved to suspend the rule requiring the reading of Emergency Ordinance No. 2022-20 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Dr. Clark. Voice vote. Motion carried.

The Clerk of Council read Emergency Ordinance No. 2022-20 by title only.

Mr. Frentzel moved to adopt Emergency Ordinance No. 2022-20; seconded by Mr. Wagner. Roll call vote: six ayes. Motion carried.

Administrative Reports

Mr. Frentzel reminded members of Council to return feedback to the Finance Committee of Council on the revised finance reports.

- **Executive Session** – Reviewing negotiations with public employees concerning their compensation or other terms and conditions of their employment and the employment of a public employee.

Mr. Frentzel moved to adjourn into executive session to review negotiations with public employees concerning their compensation or other terms and conditions of their employment and the employment of a public employee; seconded by Mr. Wagner. Roll call vote: six ayes. Motion carried.

Council adjourned into executive session at 7:32 p.m.



Mr. Frentzel moved to reconvene into regular session; seconded by Dr. Clark. Voice vote. Motion carried.

Council reconvened into regular session at 9:07 p.m.

Adjournment

Mr. Frentzel moved to adjourn; seconded by Mr. Bellapianta. Voice vote. Motion carried.

The regular meeting of Council adjourned at 9:07 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council