

Village of Milan  
Regular Council Meeting  
February 22, 2017

The February 22, 2017 Regular Meeting was called to order with the Pledge of Allegiance by Mayor Steven Rockwell.

Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, Glovinsky-no. Also present- Mayor Steven Rockwell, Interim Fiscal Officer Julie Stelzer, Administrator Brian Rospert, and Solicitor Randy Strickler.

Motion by Brown, seconded by Gilliam to excuse Glovinsky from tonight's meeting. Vote-all yeas, motion carried.

Motion by Barber, seconded by Brown to approve the Minutes of the January 25, 2017 Council Meeting. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, motion carried.

Motion by Brown, seconded by Barber to approve the Minutes of the February 1, 2017 Special Council Meeting. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, motion carried.

Motion by Barber, seconded by Maloney to approve the Minutes of the February 8, 2017 Special Council Meeting. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, motion carried.

### **Citizen Participation**

Steve Fuhr – was in to discuss his concern over an issue of guns discharging in the Milan Manor, Old State Road and in the farm field areas. Would like to know what can be done about this. The Solicitor and the Chief of Police will look into the situation and see what can be done to resolve this.

### **OLD BUSINESS**

**Streets, Sidewalks and Storm Sewers-** Safe Routes to School Committee meeting held on February 2<sup>nd</sup>, the Committee agreed to move forward with applying for Infrastructure improvements for sidewalks from Oak Street to Old State Road on the west side of South Main St. (St. Rt. 601), Crosswalk Improvements at Church Street and Park Street and a Detailed Engineer's Study for the traffic signal and crosswalks at Main Street and Church Street. For the Non-Infrastructure improvements, Edison Local Schools will be applying for this portion of the grant. Brian Rospert met with ODOT District 3, SRTS

Coordinator Jeremy Adato and Planning Jerry Schlett, to discuss our application on February 16, 2017 in Ashland. They advised that everything looks good on the application and it is ready for submittal. Safe Routes to School held a committee meeting on February 2, 2017 move forward.

Motion by Barber, seconded by Brown to approve \$30,000.00 above the grant amount of \$400,000 for walk lights at the intersection of Main St. and Church St. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, motion carried.

**Safety – None**

**Finance –** We have been in contact with Patrick Hickey of Love Insurance on the Bonding Requirements of our employees. Presently we have the Mayor Bonded for \$5,000, Clerk of Courts for \$50,000, Fiscal Officer for \$50,000 and Interim Fiscal Officer for \$50,000. He suggest that we remove the other employee’s listed in our Ordinances that need to be bonded. We have an Employee Dishonesty policy which is \$100,000 for all other employees and this includes Council. Randy Strickler is drawing up the necessary changes for this and will be discussed under legislation tonight.

**Regional Planning, Building Codes & Inspection -** Update on the property located at 76 Edison Drive, on the pending Notice of Violation and Property Maintenance Code. Strickler stated that he is working on drafting up the complaint to submit to property owners and their legal representatives.

Update on 6 Old State Road, on their intentions regarding their accessory building and Zoning Violations. Strickler stated that he has been trying to contact the property owner’s attorney.

The Planning Commission’s meeting will be held on February 21<sup>st</sup> at 7:00 PM in the Council Chambers. On the Agenda will be the Design Review Board language, Medical Marijuana, Zoning Code updates. Rospert stated that the Board had further discussions on the Design Review language and several amendments will be made.

Temporary Encroachment of Public Right-of-Way language for sidewalk dining/outdoor alcohol consumption. Additional language of “Those serving non-alcoholic beverages may serve from April 1<sup>st</sup> through November 1<sup>st</sup> must comply with paragraph C above” to be added to the permit, for occupancies that are not required to have fences. Motioned by Brown, seconded by Barber, vote all in favor, motion carried.

**Utilities -** We have formally submitted and signed the contract with Richland Engineering for the Wastewater Treatment Plant Improvements. We contracted for Design Services and Bidding Services in the amount of \$19,297.00. The contract was signed on February 15, 2017.

**Civic Contacts -** On February 8th, the Chautauqua Committee held a meeting to discuss and plan for the upcoming event to be held this summer on June 27 – July 1. It is requested from the Village Council to approve the use of the square for this event. It is also requested to allow permission from Council for overnight sleepovers in the square by

local Boys and Girls Scouts for security of the tent and equipment. Liability Insurance for this event will be covered through the Milan Chamber of Commerce. Motion by Brown seconded by Gilliam to allow both the use of the square and the sleepover on the square. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, motion carried.

Dennis Weilnau of Weilnau Farms, recently signed the contract to rent the parcel of ground owned by the Village located by the Water Treatment Plant on Seminary Road.

**Parks and Tree** - None

**Records Commission** - The following employees have completed the Sunshine Laws training regarding Ohio's Public Records Act and Ohio's Open meeting Act, presented by the Ohio Attorney General's Office: Brian Rospert, Lew Kalin, Tyson Metz, Dan Hipp, Brad Simon, Julie Stelzer and Nancy Justice. This was a three hour webinar and all employees were presented a certificate upon completion of the class. Strickler stated that in Legislation at tonight's meeting there is a Resolution stating that Rospert is Council's designee to attend Public Records Training on behalf of the Council.

## **NEW BUSINESS**

**Streets, Sidewalks and Storm Sewer** - At this time and until further notice, we have moved Tim Heim into the Street Department to assist with day to day operation. We are also cross training Tim in the Water and Wastewater Departments as well.

The Street Department has been busy with picking up trash and brush, plowing and salting when necessary, patching holes in the roadways, performing general maintenance on the equipment and general day to day operations.

**Safety** – Barber stated that Part-time Officer Derrick Mullen's submitted his resignation to Chief Meister. Barber made a motion to hire Officer Isaac Garza as a part-time officer at \$12.00 per hour, seconded by Maloney. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, motion carried.

**Finance** - After reviewing our Ordinance Book, we found that there were no Ordinances entered into this book since March of 2016. We were able to locate all the Ordinances with the exception of one, Ordinance Number 684-03-16, Permanent Appropriations. Nancy Justice has been working on updating the book.

Rospert stated that we have a 30 day CDAR CD due on March 9<sup>th</sup> and mentioned that he spoke to Sandusky Finance and he advised to transfer this money into our general checking account at this time. Motioned by Brown, seconded Barber to transfer the CDAR CD funds into our general checking account. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, motion carried.

**Regional Planning, Building Codes & Inspection** - This past month the Zoning Department took in three Zoning Permits and one Building Permit/Temporary Electric Permit for 7 Chippewa Drive, for a new home.

On March 9, 2017 at 6:30 PM, there is a Board of Zoning Appeals meeting scheduled for 128 Center Street. They are asking for a ten foot side yard variance on a corner lot for a new attached garage to be in line with the house.

**Utilities** – Rospert gave an update on the rate study on our electric and wastewater, performed by John Courtney and advised that there is legislation in tonight’s package, on raising our rates in both the wastewater and electric. Jim Brown explained the Finance Committee’s plans on updating both utilities and the need to increase the rates.

The Electric Department repaired a bad circuit board at the WWTP which opens the automatic gate, relamped the fluorescent lamps in the administration building, connected a temporary service at 7 Chippewa Drive, relamped two street lights on Elm Street and installed a new street light on North Main Street hill, to improve the safety of pedestrians.

Two utility customers did not pay their bills in a timely manner, so the Electric Department installed limiter meters at these locations. Both bills were paid within a day and we removed the limiter meters and re-installed their regular meters.

Two employees from the Electric Department were sent to assist Monroeville Electric with lifting old regulators from their obsolete sub-station.

The Electric Department transferred primary lines to a new pole installed on Main Street across from Audrey Lane. This is in preparation of moving the primary lines in the Sleepy Hollow sub-division to the front yards.

The Water Department has been working on mapping for water lines and service lines for the EPA. They also made water and sewer taps for 7 Chippewa Drive.

**Civic Contacts** – Gilliam discussed the proposed location of the bicentennial time capsule. The committee suggestion was to locate the time capsule in the area between the gazebo and water fountain on the square and that they would like to have a dedication ceremony in September, either on September 23<sup>rd</sup> or 24<sup>th</sup>. Motion by Brown, seconded by Barber to allow the time capsule to be placed in this location, as stated, on the square. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, **Gilliam-abstained**, motion carried.

**Parks and Trees** - None

**Records Commission** - None

**Citizens Property Maintenance Commission** – None

## **Unfinished Business**

Motioned by Brown, seconded by Gilliam to enter into Executive Session to discuss Personnel and Employee Discipline, Unknown actions to be taken. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, motion carried.

Motion by Brown, seconded by Barber to return to Regular Session. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, motion carried.

Motion by Brown, seconded by Barber to terminate the employment of Mary Bruno, Village Fiscal Officer effective immediately for malfeasance in office. Roll call: Barber-yes, Maloney-yes, Brown-yes, Crosby-yes, Gilliam-yes, motion carried.

## **Legislation**

Ordinance – Next number will be 705-12-17

Resolution – Next number will be 587-02-17

### **A RESOLUTION APPOINTING THE VILLAGE OF MILAN VILLAGE ADMINISTRATOR BRIAN ROSPERT, AS THE DESIGNEE OF THE MEMBERS OF COUNCIL FOR THE PURPOSE OF THE PUBLIC RECORDS LAW AND DECLARING AN EMERGENCY.**

Motioned by Barber, seconded by Gilliam to suspend the three reading rule. Roll call: Barber yes, Maloney yes, Brown yes, Crosby yes, Gilliam yes, motion carried. Motioned by Barber, seconded by Brown to adopt by title only as an emergency. Roll call: Barber yes, Maloney yes, Brown yes, Crosby yes, Gilliam yes, motion carried. Resolution number 587-02-17

### **AN ORDINANCE AMENDING THE RATES TO BE CHARGED BY THE ELECTRIC SYSTEM OF THE VILLAGE OF MILAN, OHIO, AND REPEALING ANY AND ALL ORDINANCES OR PARTS THEREOF INCONSISTENT HEREWITH.**

Motion by Barber, seconded by Maloney to bring this reading to its first reading by title only. Roll call: Barber yes, Maloney yes, Brown yes, Crosby yes, Gilliam yes, motion carried. Ordinance number 711-02-17

### **AN ORDINANCE AMENDING RATES TO BE CHARGED BY THE SEWER SYSTEM OF THE VILLAGE OF MILAN, OHIO, REPEALING ANY AND ALL ORDINANCES OR PARTS THEREOF INCONSISTENT HEREWITH.**

Motion by Brown, seconded by Barber to bring this reading to its first reading by title only. Roll call: Barber yes, Maloney yes, Brown yes, Crosby yes, Gilliam yes, motion carried. Ordinance number 712-02-17

**AN ORDINANCE AMENDING SECTIONS 135.03, 139.01, 145.02, 145.03, 145.04, 147.02, 147.03, 147.04, AND 171.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MILAN, OHIO AND DECLARING AN EMERGENCY.** Motioned by Brown, seconded by Barber to suspend the three reading rule. Roll call: Barber yes, Maloney yes, Brown yes, Crosby yes, Gilliam yes, motion carried. Motioned by Brown, seconded by Gilliam to adopt by title only as an emergency. Roll call: Barber yes, Maloney yes, Brown yes, Crosby yes, Gilliam yes, motion carried. Ordinance number 710-02-17

**AN ORDINANCE FROM THE STATE OF OHIO, OHIO DEPARTMENT OF TRANSPORTATION, WHEREAS, THE STATE HAS IDENTIFIED THE NEED FOR THE DESCRIBED PROJECT: TO PERFORM A SYSTEMATIC SIGN REPLACEMENT ON US 250 FROM THE NORTH CORPORATION LIMITS TO THE SOUTH CORPORATION LIMITS IN THE VILLAGE OF MILAN IN ERIE COUNTY, LENGTH OF PROJECT IS APPROXIMATELY 0.75 MILES AND DECLARING AN EMERGENCY.** Motioned by Brown, seconded by Gilliam to suspend the three reading rule. Roll call: Barber yes, Maloney yes, Brown yes, Crosby yes, Gilliam yes, motion carried. Motioned by Barber, seconded by Brown to adopt by title only as an emergency. Roll call: Barber yes, Maloney yes, Brown yes, Crosby yes, Gilliam yes, motion carried. Ordinance number 708-02-17

Motion by Barber, seconded by Brown to adjourn tonight's meeting. All in favor, motion carried.

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Steven Rockwell, Mayor

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Julie Stelzer, Interim Fiscal Officer