Monroe Council Agenda
Regular Meeting
April 26, 2022 – 6:30 p.m.
233 South Main Street, Monroe, Ohio

Pledge of Allegiance

Roll Call

Approval of the Minutes – Public Safety Committee Minutes of March 29, 2022; Public Works Committee Minutes of March 30, 2022; Technology Committee Minutes of April 5, 2022; Public Involvement Committee Minutes of April 7, 2022; Council/School Board Minutes of April 11, 2022; Finance Committee Minutes of April 12, 2022; Council Minutes of April 12, 2022 and April 19, 2022; and Council/Park and Recreation Board Minutes of April 13, 2022.

Visitors

Committee Reports

Public Works Committee
Finance Committee
Administrative Liaison Committee
Technology Committee
Public Involvement Committee
Public Safety Committee

Old Business

New Business

Ordinance No. 2022-04. An Ordinance repealing Chapter 1028 known as Comprehensive Stormwater Management and amending and supplementing Chapter 1028.

Ordinance No. 2022-05. An Ordinance amending Section 1 of Ordinance No. 2021-52 to reflect the correct rates as set forth in the September 14, 2021 Water Rate Study.

Executive Session. To discuss the employment of a public employee.

Emergency Resolution No. 18-2022. A Resolution authorizing the City Manager to enter into an agreement by and between the City of Monroe and Local Gov Consultants, LLC for financial administrative services and declaring an emergency.

Resolution No. 19-2022. A Resolution authorizing the City Manager to enter into a Memorandum of Understanding by and between the City of Monroe, Liberty Township, and West Chester Township for use of a Traffic Incident Management Safety Unit.

Consideration of Motion establishing the Succession Planning Committee of Council.

Administrative Reports

Adjournment

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Committee Reports

Public Works Committee
Finance Committee
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Public Involvement Committee
Public Safety Committee

Old Business

New Business

Ordinance No. 2022-04. An Ordinance repealing Chapter 1028 known as Comprehensive Stormwater Management and amending and supplementing Chapter 1028.

Background. The City is mandated by the United States and State of Ohio Environmental Protection Agencies to carry out the permit for stormwater and illicit discharge. This includes the enforcement of the stormwater regulations. With the help of a storm water consultant, the 1028 ordinance has been rewritten to update items which were required by the EPA. Also, items that were added will help protect the City from contractors and developers who refuse to follow the 1028 guidelines. The Public Works Director is recommending increasing the fines due to the increase in violations by developers and builders, the City is at risk of fines from the EPA if we were found negligent of not upholding the rules set forth in ordinance 0128.. There are still some items that we are finalizing on this ordinance and there may be changes between readings. However, the EPA has set a deadline that all municipalities update their regulations by April 1st and being able to report to them that Monroe is in the process of updating our regulations will satisfy them.

Ordinance No. 2022-05. An Ordinance amending Section 1 of Ordinance No. 2021-52 to reflect the correct rates as set forth in the September 14, 2021 Water Rate Study.

Background. Rate amounts included in the original ordinance were incorrect. There are 2 very similar schedules in the water rate study document. One lists the rates and charges and one lists the cost of services. The cost of services was used in the legislation rather than the proposed rates and charges that were presented by Baker Tilly. I have included the pages of the rate study that I reference in the background information as well as the mark up of the ordinance. The corrected amounts should be effective 1/1/22 as in the original ordinance. The billing system has been using the correct rates so there will not be any adjustments/disruptions to the residents.

Executive Session. To discuss the employment of a public employee.

Emergency Resolution No. 18-2022. A Resolution authorizing the City Manager to enter into an agreement by and between the City of Monroe and Local Gov Consultants, LLC for financial administrative services and declaring an emergency.

Background. We have not found a good fit for our Finance Director position and will need to post the advertisement again. This agreement will provide for an Interim Finance Director while we continue our search. The consultant, Mr. Randy Groves, is recently retired from the City of Fairborn and will dedicate approximately 16 hours per week to assist the Monroe Finance staff as a technical resource as well as assist with special projects such as the tax budget, annual audit, 5 year forecast, monthly reporting, etc. Additionally, Mr. Groves will be available to assist with our Finance Director search and will dedicate a minimum of 32 hours with the selected candidate to ensure a smooth transition. The fee for professional services is $100 per hour, billed monthly. If the agreement is approved, we will need to submit supplemental appropriations to move appropriations from Personal Services to Operating. It is unknown how long it will take to find a suitable candidate for the role due to the current amount of vacancies in the area as well as the overall hiring environment we have been experiencing. Please see page 2 of the proposal for an overview of Mr. Groves' prior experience and credentials.

Resolution No. 19-2022. A Resolution authorizing the City Manager to enter into a Memorandum of Understanding by and between the City of Monroe, Liberty Township, and West Chester Township for use of a Traffic Incident Management Safety Unit.

Background. The Fire Chiefs in Monroe, Liberty, and West Chester have been working on a shared fire apparatus to be used for blocking purposes on high speed roadways. This would be a reserve fire engine owned by Liberty Township, that would be shared by each entity. Liberty Township FD staff would house, and respond with the engine to calls in Monroe and West Chester Township as defined in a response protocol. The use of a blocking vehicle is widely utilized by departments across the country. You may recall that Liberty Twp. had an aerial ladder struck by a semi truck while blocking an accident scene on I-75 2 years ago. Most recently, there was a fatal accident in the City Franklin where a motorist struck a blocking vehicle, and another incident in Southwest Ohio that took the life of a firefighter and critically injured a police officer.

The set-up cost for the vehicle is $12,000, which was not budgeted in 2022 due to the timing of the agreement. We request Council to consider additional appropriations to cover these costs. The Chief is anticipating a annual cost of $2,500 for this vehicle over the life of the agreement. The MOU indicates that any repairs to the vehicle over $30,000 would be discussed with the group prior to the repair for feasibility of continuation of the use. I would suggest that if Council approves this agreement, a higher budget number should be considered so that any repairs under that number could be addresses without the need to seek additional appropriation.

Consideration of Motion establishing the Succession Planning Committee of Council.

Administrative Reports

Adjournment

Public Safety Committee of Council
Minutes
March 29, 2022
233 South Main Street, Monroe, Ohio

The Public Safety Committee of Council met at 5:30 p.m. on March 29, 2022 in the Council Library located at 233 South Main Street, Monroe, Ohio.

Present: Kelly Clark, Council Member; Marc Bellapianta, Council Member; William J. Brock, City Manager; John Centers, Fire Chief; Kacey L. Waggaman, Assistant City Manager; and Angela S. Wasson, Assistant to the City Manager/Clerk of Council.

2018-2023 Fire Department Strategic Plan

Chief Centers reported this Plan reflects where we have been and where we plan to be. This Plan will be updated beginning in 2023. One of the challenges in the fire service is everyone is seeing a reduction in the number of applicants. We need to look at doing a better job at recruiting and budget more for recruitment activities. If that does not work, we need to determine how we are going to function with less solid candidates. We spend a lot of time to make sure we have good candidates coming in as we see that as an investment that someone may be here for 25 years.

On the organizational part of our plan we look at the needs over a particular period of time. This is a growing city and it is more difficult to determine needs because the target is changing frequently. It is taking a longer period of time for inspections and life safety in the buildings. In ten years we have seen a 40% increase in our calls. We are expanding on public service events such as, CPR classes, car seat installations, and first aid. Managing all of those schedules takes additional time as well to make sure all of the schedules are being met and the policies and procedures.

As background, Chief Centers reported that they were able to secure a SAFER grant in 2016 that allowed them to hire seven additional people for a two-year period. It allowed us to operate with a minimum number of 10 people per shift. That is important because we can staff a fire engine and medic unit at both stations 24 hours per day. The problem is the overlapping calls that are increasing. The grant also allowed us to hire a Community Paramedic. One of the items we have looked for is the battalion chief positions. We are very interested in filling those positions as they are a 24 hour supervisory positions. Traditionally, you will see in most fire departments the position is a single resource unit. This means that it is a person in a staff vehicle that responds on all of the major events. Their primary role is to make sure that the safety level people are functioning there is met and there is someone guiding, watching, and implementing changes in that scene that provides the best level of safety and security for the staff. Right now the way we achieve that is our Chief or one of the Assistant Chiefs will respond in addition to our fire personnel. This works great during the day when everyone is in the office; however, on weekends and holidays Chief Centers is the only one that lives in the City. With the calls and risk index we are passed being able to do this. These positions will also have administrative duties that go with that. With the increase in call volume, they must pick and choose what can get accomplished on

a day-to-day basis. Each of the three battalion chiefs would each have a particular responsibility. For example, one would be policies and procedures related to fire, one would be related to medical services, and one would be fire prevention and inspections including the higher risk areas.

Chief Centers advised that in the Strategic Plan is the training captain's position. If we look at emergency medical services versus fire, 90% of our call volume is emergency medical service calls. Our highest risk on a daily basis is emergency medical services and service delivery because we have 8 to 10 emergency medical service calls per day. This position would make sure all personnel has the necessary training to perform effectively in their role as an EMT or paramedic. We provide paramedic services in Monroe.

Chief Centers explained that the Fire Department has a very expansive Quality Assessment and Quality Improvement (QA/QI) Program. We were able to utilize one of our staff that was on light duty for this. Having someone do that for the last few months it taught us that to capture all of the data we are able to catch small problems before they become big problems. This has helped us improve the level of care.

Those are the last two pieces of the plan that we have not been able to implement yet. We are growing and there will be additional responsibilities that will come up.

Mr. Bellapianta understood the battalion chiefs and asked what does the training officer need to be qualified to do for this position. Chief Centers explained that they would have to be an EMS instructor, at the very least, and we would probably want them to be a fire instructor as well. We like to cross-train our staff should something come up. What we are realizing as we grow it is difficult for people to wear multiple hats because something is going to suffer if you are doing multiple things. Dr. Clark asked if this a position Chief Centers would want to promote from within. Chief Centers replied that they typically always want to promote from within. Mr. Bellapianta asked where we are to fund these positions.

Mr. Brock referenced the Strategic Plan that reflected the training captain, but not the battalion chiefs. In the forecast, personnel are reoccurring costs over time. When you look at public safety funding we go back to the income tax increase and we wanted to make sure that there were sufficient funds to cover the additional seven firefighters. Overall the public safety income tax piece there was the assumption that it would not continue to deplete the General Fund. We are now analyzing those funds. As we began the year we did not feel comfortable in adding approximately $400,000 in personnel costs for the battalion chiefs. Now you add in a couple of other factors you have contract negotiations coming up, we have a big inflation, we will probably receive a big request. The police contract added about $300,000 to their budget per year.

Mr. Brock explained that the fire department had two property tax levies and the police had one. When we were looking at increasing revenues in the mid 2000's the discussion with Council is we do not want to go after property tax and let the school district do that. Overtime property taxes stay the same and do not grow. These two levies do not fund our operations any longer. Mr. Brock advised that we balance bill for emergency medical services except for the residents. We write those off.

Mrs. Clark complimented the great work the Community Paramedic did and hopes that it can continue. Chief Centers stated that Community Paramedic Vance has made some great relationships with the community and live changing decisions for our elderly.

Mr. Brock advised that the next Public Safety Committee will be to discuss dispatching.

The Public Safety Committee meeting adjourned at 6:17 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

Public Works Committee of Council Minutes
March 30, 2022
233 South Main Street, Monroe, Ohio

The Public Works Committee of Council met at 5:30 p.m. on March 30, 2022, in the Council Library located at 233 South Main Street, Monroe, Ohio.

Present were: Tom Callahan, Council Member; Ben Wagner, Council Member; Marc Bellapianta, Council Member; William J. Brock, City Manager; Gary Morton, Director of Public Works; John Bodiker, Engineering Technician; and Angela S. Wasson, Assistant to the City Manager/Clerk of Council.

Mr. Morton reported that they have been working with a consultant to update their stormwater ordinance so they are in compliance with the Ohio Environmental Protection Agency (EPA). The EPA expects the City to enforce this and, if the EPA finds that the City has not been enforcing the ordinance, the City's permit will be revoked.

Mr. Morton explained that there is a lot of difficulty with developers and builders not complying with the regulations and part of the updates include higher penalties. The other updates are required by the EPA.

Mr. Brock advised that our current ordinance does not give us the ability to enforce the smaller projects.

Mr. Wagner asked if effort was present to correct the issue(s) within the 14 day period would they still be fined. Mr. Morton replied that if there is due diligence to correct the violation they would not fine them or reduce their bond.

Mr. Brock is currently reviewing the proposed ordinance so there are no conflicts anywhere else in the Codified Ordinances.

Mr. Morton clarified the City's goal is not to make money off of these bonds or fines, it takes a lot of manpower to keep up with this.

In looking at future meetings, Mr. Brock advised budget items and facility planning will need to be discussed.

Mr. Callahan asked if there was room enough to enlarge the parking lot where the engineering offices are located the employees could park there. Then, you would have enough room to build something where the existing parking lot is. Mr. Brock noted that there have been a few architectural renderings for this area and all of that can be reviewed and determine the best direction to go.

Mr. Bellapianta asked if the stormwater amendments relate to new or existing improvements. Mr. Brock explained that it would apply if there are substantial improvements to the property. It is going forward and apply to anything under construction now.

The Public Works Committee meeting adjourned at 4:12 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

Technology Committee of Council Minutes
April 5, 2022
233 South Main Street, Monroe, Ohio

The Technology Committee of Council met at 5:30 p.m. on April 5, 2022, in the Council Library located at 233 South Main Street, Monroe, Ohio.

Present were: Christina McElfresh, Vice Mayor; Jason Frentzel, Council Member; Keith Funk, Mayor; William J. Brock, City Manager; Angela S. Wasson, Assistant to the City Manager/Clerk of Council; Michael Brady, President of Velecor; Zachary Morvik, Chief Technical Officer of Velecor; and Jameson Diegmueller, Systems Engineer of Velecor.

Mr. Brady provided an explanation of the services Velecor provides to the City of Monroe. Velecor manages all of the infrastructure, service desk, and security management. We have an on-site technician to manage day-to-day activities and a consistent checklist to proactively manage the backups and fix any hardware or software failures.

Mr. Brady highlighted items Velecor has accomplished for the City since providing IT support. Velecor has installed Geo blocking such as, blocking access from other countries, tightened down the security, incident and threat management, working with other vendors for administrative accounts and remote access, and replacement of an aging telephone system. Mr. Brady noted there are many other items; however, these are the higher-level items.

Mr. Brady reported what they are working on presently and in the future. These items included infrastructure improvements, such as servers, storage, switches, and firewalls. Email is a constant threat and they are installing a multifactor authentication and will begin pushing out to all departments. Additional security products is called Ironscales. Currently, possible spam or phishing emails are flagged and with the additional security it allows one user to click on a button to alert all other users that this has already been reported as spam or a suspicious email. Mr. Brady explained that there are products that send out phishing simulation emails and will provide training for staff on what to watch for.

Mayor Funk asked if the results for the simulation emails is available to administration. Mr. Morvik advised that a report is available. He added that it is helpful as it may reflect there are staff that may need additional training.

Mr. Morvik explained that ongoing security vulnerability management solutions can be expensive, but they continually scan every application and device.

In preparing for a hosted platform, Mr. Brady advised they are continually looking at the environment to move all or some of the platforms to the cloud. Mr. Frentzel asked if other municipalities are moving to cloud-based. Mr. Brady replied that while they are slower to do so they are beginning to go with cloud—based platforms.

Mr. Frentzel inquired on the replacement of aging equipment. Mr. Morvik advised that they have budgeted to replace some this year and the remainder next year.

Mr. Brady explained the Next-gen endpoint protection has artificial intelligence built into it and more capability of the standard software that looks for phishing email.

Mr. Diegmueller reported that the camera systems are currently being upgraded throughout the parks providing the ability for some cameras to show video real time.

As an internal item, Mr. Brady advised Velecor is improving the help desk ticketing system.

Mrs. McElfresh requested that the Technology Committee receive a copy of the incident reports and that the Committee meet, at minimum, quarterly.

Mrs. McElfresh asked if an IT audit is conducted by an external source. Mr. Brock replied the City does not do this. Mayor Funk also inquired about checks and balances. Mr. Morvik and Mr. Diegmueller explained that the City's insurance carrier has questions that must be responded to in order to be properly covered.

Mayor Funk questioned how many items are City initiated as it seems like most items are Velecor initiated. Mr. Diegmueller replied that Velecor is very proactive and estimated Velecor coming to the City approximately 70% of the time.

Mayor Funk brought up the problems with livestreaming the Council meetings and asked how involved Velecor was with that. Mr. Brady replied that Velecor was not involved. He advised that he referred a vendor to the City; however, he did not believe the City moved forward with that vendor. Mr. Diegmueller advised that Mrs. Wasson found a vendor that was familiar with the equipment we had and he and the vendor worked to get the computer that was needed.

Mr. Frentzel brought up work stations and asked if they were on a schedule for replacement during end of life. Mr. Brady mentioned that all of the Windows 7 was replaced. Mr. Frentzel asked about the destruction of the hard drives. Mr. Diegmueller replied he has several in his office and they will be reaching out to a company that provides a certificate of destruction to get the best government pricing.

In response to Mr. Frentzel's question, Mr. Brock advised he is working with a couple of different vendors on finalizing routes for the fiber and will have an update on Thursday.

The next Technology Committee meeting with Velecor will be June 7, 2022.

The Technology Committee meeting adjourned at 7:45 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

Public Involvement Committee of Council Minutes
April 7, 2022
233 South Main Street, Monroe, Ohio

The Public Involvement Committee of Council met at 5:31 p.m. on April 7, 2022, in the Council Chambers located at 233 South Main Street, Monroe, Ohio.

Present were: Kelly Clark, Council Member; Christina McElfresh, Vice Mayor; Jason Frentzel, Council Member; William J. Brock, City Manager; Brian Perkins, Assistant Director of Public Works; Brian Curlis, Police Captain; Angela S. Wasson, Assistant to the City Manager/Clerk of Council; and Paul Gabbard, Monroe Lions Club Representative.

Mrs. McElfresh moved to recommend approval of $2,000 to pay for the band at the May 19, 2022 Food Truck Fair; seconded by Mr. Frentzel. Voice vote. Motion carried.

Mr. Perkins reported that he received the fallout point layout for the fireworks. He suggested that the food trucks stay on the asphalt and he is trying to get pricing on generators as the electric will not be installed. He asked the Monroe Lions Club if they could encourage any food trucks they get to have their own generators. Mr. Perkins advised that there is sufficient power for any inflatables and plenty of room for pop-up canopies.

Mr. Brock reported there are two members of the Area Church Council that met with Deana Johnson to coordinate the parade.

Dr. Clark stated that most of the surrounding communities have a budget of $20,000 and hopes that Council will approve an increase in the fireworks display. Mr. Brock will find out whether or not the City will receive $5,000 in grant funds from the Middletown Community Foundation next week.

Mr. Perkins spoke with Butler Tech and they are hoping to have the concrete work completed by the end of May and then we can have the monument set with the landscaping being performed in the fall.

Mrs. McElfresh asked if the Monroe Lions Club will be holding an Easter Egg Hunt. Mrs. Wasson advised that it will be April 16th at 10 a.m. at the Monroe Community Park.

Captain Curlis reported that the Safety Town dates have been set, the National Night Out will be held at the School again, the Touch-a-Truck will be at the Monroe Community Park, and the fall Food Truck Fair location is up in the air. The spring Food Truck Fair will be at the Monroe Community Park.

The Public Involvement Committee meeting adjourned at 5:45 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

Minutes of Combined Meeting with
Monroe City Council and the
Board of Education of the Monroe Local School District
April 11, 2022
601 South Main Street, Monroe, Ohio

Mayor Funk called the meeting to order with the Pledge of Allegiance at 6:00 p.m.

Roll Call

School Board members present – Tim Carpenter, A. J. Fullam, Dave Grant, Debbie Hagedorn, and Tom Leeds.

School staff present – J. Robert Buskirk, Superintendent, and Holly J. Cahall, Treasurer.

City Council members present – Marc Bellapianta, Tom Callahan, Kelly Clark, Jason Frentzel, Keith Funk, Christina McElfresh, and Ben Wagner.

City staff present – William J. Brock, City Manager; Angela S. Wasson, Assistant to the City Manager/Clerk of Council; Brian Curlis, Police Captain; Kacey L. Waggaman, Assistant City Manager; and Jennifer Patterson, Assistant to the City Manager/Economic Development.

Mr. Fullam moved to approve the agenda prepared by the Monroe Local School District; seconded by Mr. Leeds. Roll call vote: five ayes. Motion carried.

Comprehensive Plan

Mr. Brock gave the following presentation on the recently adopted City of Monroe Comprehensive Plan.

The City of Monroe does three major forms of planning: financial, strategic, and comprehensive. The Comprehensive Plan helps direct the City's current and future physical, social, and economic development. It is a continuing process rather than a static process and can be amended, changed, and evaluated. It's assumptions are checked with every other plan that we are going to put into play. As the City's economic and demographic characteristics change, the Plan will have to change. Staff will utilize the Plan every single day.

Now that the Plan has been approved the City will need to look deeper into it. From this Plan it will become the Land Use Plan, also known as the Planning and Zoning Code and Zoning Code Map. It will look at target growth and look at the needs of current businesses, the architectural standards and areas for mixed residential development, capital planning to address traffic needs and walkability, amenities the City provides, and sub area plans for the downtown, Interchange, and LeSourdsville area.

Development of the Plan surrounded certain assumptions such as, population. The Plan assumes a growth to 21,000 by 2040. There are a lot of issues to consider if the population assumption is correct. Consideration included the impact on the Monroe Local School District while developing the Plan.

Mr. Grant expressed his appreciation for the combined meeting and how important it is for the School Board and City Council to work together.

School Facilities

Mr. Buskirk recalled during his interview that the Monroe Local School District wanted to be one of the top school districts in the State of Ohio and, he believes the potential to reach that goal exists. The biggest challenge right now is spacing. In 2012, we had approximately 2,400 children and this year we are looking at about 2,850. The main campus on Yankee Road was designed for K through 12 and 1,850 students. It is now 2nd grade through 12th with 2,300 students.

Mr. Buskirk explained the school is in a very unique situation. The State of Ohio school funding program previously ranked every school district in Ohio and they ranked Monroe in 2017 and put Monroe on a waiting list to receive funding just to construct an elementary school. Since 2017 until now the percentage has increased to receiving 71% in State funding to construct a new building with the local taxpayers only having to pay 29%. When you use State funding there are certain standards you must follow and you are two years out. The best case scenario is a new school building in the next four years and we need more space right now. If we add on to existing buildings to create more space it takes away from the percentage that the State will give the school.

He believes that it is important to go back to the community to see what the opinion is on which school level to construct, such as elementary or high school. We have plenty of space to build on our current site; however, there are traffic issues.

Mr. Grant noted that in 2017 the State ranked the Monroe District as the 17th richest in the State of Ohio.

Mrs. McElfresh asked if the enrollment numbers included open enrollment. Mr. Buskirk explained that it does include open enrollment. He further explained that the School does not accept new open enrollment and only keep those that were already attending as an open enrollment student.

Mr. Callahan asked Mr. Buskirk if he has spoken with the Ohio Department of Transportation about widening the roadway near the school on Yankee Road. Mr. Buskirk replied that while he has not he does know that several options were reviewed in 2017 to improve the traffic situation.

Mr. Fullam commented that there are 650 students at the primary building and that building is not going to last much longer.

Mayor Funk, recognizing it was the School's decision, asked about putting a dedicated levy on sooner rather than later if the price to construct the new building is big to be prepared. Mr. Buskirk replied that it all falls under the laws of a bond issue.

Shared Services – Public Relations Person

Mr. Brock stated that both he and the Superintendent have talked about their individual financial constraints and where they could share services. When Mr. Buskirk was hired one of the items he talked about was a public relations person for the School District. One of the items discussed at City Council's retreat was more focus on communication and how we communicate with our residents. Mr. Brock advised the intent is to see if there is some desire to see if this position is needed and if it could be shared.

Mr. Buskirk added that everything he spoke about with the new construction is vitally important to get that message out to our parents and we need to control the message so they are getting accurate information. He advised that Mr. Brock had shared that there was some discussion at the City that we might be interested in sharing something. Referencing social media, he indicated that it is how parents receive their information and the School needs to streamline what is shared on social media.

Mr. Brock reported that he shared with Mr. Buskirk a company that does communication planning if that is the direction everyone would like to go. He noted that this company would complete a study on what the community wants to hear and how they recommend communicating with the company.

Mr. Fullam was of the opinion that a shared position would serve the community better than having two separate positions for each entity.

Dr. Clark agreed that we all want to work together happily and asked what happens if those two entities do not agree and we have one person doing public relations. Mr. Fullam agreed with what Dr. Clark is saying and felt that having an agreed upon direction and that is what we are trying to avoid that.

Ms. Hagedorn was of the opinion that it would depend on the job description.

Mr. Buskirk stated that this person would be getting his message and the School Board's message out as they would only be helping facilitate that.

Mayor Funk sees the postings being informational or celebatory.

Mrs. McElfresh advised that the City has a social media person. Her concern is comingling funds for a shared positions as far as taxpayer dollars. She wants to work with the School District, but is not completely comfortable with this as the City has a person and didn't know if the School District also has a person that does this.

Mr. Fullam did not believe we are just talking about social media. It would also include press releases. Mrs. McElfresh pointed out the City already has someone that does that. She added that the City has a social media policy and are currently updating this.

Mr. Buskirk pointed out he could not justify a fulltime position for the School District.

It was the consensus of those present to find out the cost of the consultant and then make the decision as to whether or not to further explore this.

Mr. Grant brought up a concern that the School has become a community center for the City because the School hosts all of the youth sports and would like to see in the Comprhensive Plan an adjustment reflecting a community center for the youth sports. Dr. Clark and Mrs. McElfresh supported the idea, but was concerned about the cost.

Mr. Funk brought up the possibility of partnering with the YMCA. Mr. Brock will reach out to the YMCA.

Mrs. McElfresh and Mr. Callahan preferred a community center over hiring a public relations person.

Mr. Carpenter moved to adjourn the meeting; seconded by Mrs. Hagedorn. Roll call vote: five ayes. Motion carried.

Mr. Bellapianta moved to adjourned; seconded by Mrs. McElfresh. Voice vote. Motion carried.

The combined meeting adjourned at 8:07 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

Finance Committee of Council Minutes
April 12, 2022
233 South Main Street, Monroe, Ohio

The Finance Committee of Council met at 5:30 p.m. on April 12, 2022 in the Council Library located at 233 South Main Street, Monroe, Ohio.

Present were: Jason Frentzel, Council Member; Ben Wagner, Council Member; Marc Bellapianta, Council Member; William J. Brock, City Manager; Gary Morton, Director of Public Works; Deborah Armitage, Assistant Finance Director; Kacey L. Waggaman, Assistant City Manager; and Angela S. Wasson, Assistant to the City Manager/Clerk of Council.

Mr. Morton reported that the City is mandated by the Federal and Ohio Environmental Protection Agencies (EPA) to carry out the stormwater and illicit discharge permit. We have had difficulty with contractors and builders complying with the stormwater ordinance. If a complaint is made with the EPA about the regulations not being followed, the EPA can levy a fine against the City. The EPA has indicated it is the City's responsibility to enforce the regulations. All municipalities had to update their policies and procedures.

The action of fining someone under the existing penalty you need to take someone to Mayor's Court and charge them with a misdemeanor. If they are in violation we must provide seven days notice to fix it. If it is not fixed within seven days we then need to issue another seven day notice. We are proposing an $800 per business day administrative fee against their bond. All developers must put up a cash bond. Any violation that protects the state streams then you get the EPA and the Army Corps of Engineers involved, which means larger fines against the City.

We have also added a bond of $1,000 for smaller lots. It is the hope by doing this people will take this more seriously.

Mr. Wagner felt that $800 per day is a substantial amount and asked what happens if their bond runs out. Mr. Brock advised that discussion took place internally and used the example of a two-acre lot being only $3,000, the $800 per day will take away the bond pretty quickly. Mr. Brock questioned if they should resubmit a bond if they were issued a stop work order.

Mr. Wagner noted that should there be a violation the word "may" is used and questioned if the word "will" should be used. Mr. Morton was hesitant in using the word "shall" because they really want to give the developer or builder the benefit of the doubt.

Mr. Brock pointed out the comprehensive projects is $1,000 per day. He suggested putting together a chart showing what would be charged for each type of project.

Mr. Brock advised they will fix some of these items prior to bringing it to Council. Mr. Brock further advised he will speak with the Law Director about stop work orders being applied to not only the stormwater work, but also the building in coordination with the Development Department.

Mr. Frentzel pointed out that the last Finance Reports that were approved were for November of 2021 and asked about the status of closing out 2021 and moving into 2022. Mrs. Waggaman advised that the year is not closed out yet. We are waiting on the software company because we have to run it in train before I can run it in live. We have had a ticket in for a couple of weeks now. After we close we still have to go through the whole process of closing the December reports. Right now Mrs. Armitage is filling in for helping with payroll and accounts payable because one of the staff members is off on maternity leave. Staff time is limited, but will get them as soon as we can.

Mr. Frentzel expressed concern that something could fall through the cracks.

Mr. Bellapianta asked if there are any penalties for this. Mrs. Waggaman replied there is no rules that you have to submit monthly reports it is just best practice. Mr. Bellapianta referred more to closing out the end of the year. Mrs. Waggaman advised that it does hold up a few things.

Mr. Frentzel referred to the hiring difficulties for certain positions. Mr. Brock explained that we have identified an individual to fill in as Finance Director on a part-time interim basis so we can concentrate on replacing the Assistant Finance Director. Part of that is redefining the duties. Mr. Frentzel expressed his concern.

Mr. Wagner asked if there was anyone internal that could fill that position as it is a lot easier to find an entry level finance person than a finance director. Mr. Brock replied they haven't identified that yet.

The Finance Committee meeting adjourned at 6:02 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

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

Pledge of Allegiance

Mayor Funk 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, Jason Frentzel, Keith Funk, Christina McElfresh, and Ben Wagner.

Mr. Frentzel moved to excuse Dr. Clark; seconded by Mr. Bellapianta. Voice vote. Motion carried.

Approval of the Minutes

Mrs. McElfresh moved to approve the Council Minutes of February 26 and March 22, 2022; seconded by Mr. Wagner. Voice vote. Motion carried.

Visitors

- **Warren County Sheriff Larry Sims – Warren County Sheriff's Office Annual Report**

Sheriff Sims reported that the new Sheriff's office and jail opened last year and invited Council to tour the building. Sheriff Sims submitted a copy of his 2021 Report.

Mayor Funk thanked Sheriff Sims for everything he does. Vice Mayor McElfresh expressed her appreciation to Sheriff Sims for coming to a Council meeting every year.

David Schmitt of 537 South Main Street requested a guardrail be installed between Mason Avenue and 557 South Main Street due to all of the vehicle accidents in this area.

Mr. Brock will provide Council with a report on the accidents and the cost for any improvements in the area.

Committee Reports

Mr. Frentzel reported that the Public Involvement Committee met last week and received a drawing from Rozzi Fireworks for the area needed for six inch shells. For the food trucks, the electric will not be installed in time for the Light Up the Sky Event, so we are looking at generators or requiring the food trucks to provide their own generators. Mr. Frentzel announced that the Monroe Lions Club will hold their annual Easter Egg Hunt this Saturday, April 16th at 10 a.m. in

Monroe Community Park. In addition, the first Food Truck Fair will be May 19th at Monroe Community Park.

Reporting on the Finance Committee that met just prior to this evening's Council meeting, Mr. Frentzel advised that staff are working on the bonds and fines for stormwater management and bringing everything into compliance with the Environmental Protection Agency guidelines.

Mrs. McElfresh asked when the last time Finance Reports were approved. Mr. Frentzel replied that the November 2021 reports were in February of 2022 and noted that it was briefly discussed in the Finance Committee.

Mrs. McElfresh requested an explanation. Mrs. Waggaman explained the system is not closed for the year and until that happens, December of 2021 cannot be closed.

Mayor Funk recalled that at the end of the year it usually takes about the first quarter to complete.

Mrs. Waggaman advised that it is taking an extra long time due to staffing levels right now, but there is an overlap of a few months usually.

Mrs. McElfresh asked when the reports can be expected and Mrs. Waggaman advised they will probably go to the Finance Committee next month. She wasn't sure if the software issue will be resolved and everything closed out to have reports before the next meeting.

Mr. Brock mentioned that the Public Involvement Committee recommended the expenditure of $2,000 for the band at the May 19th Food Truck Fair.

Mr. Frentzel moved to approve the expenditure of $2,000 for the band at the May 19, 2022 Food Truck Fair; seconded by Mr. Wagner. Voice vote. Motion carried.

Mrs. McElfresh reported that the Technology Committee met with Velecor that handles our telephone system and IT systems and everything is running smoothly.

Old Business

None.

New Business

Emergency Resolution No. 16-2022. A Resolution authorizing the City Manager to enter into a service agreement by and between the City of Monroe and Axon Enterprise, Inc. for the service and licensing of the Department of Police body cameras and declaring an emergency.

Chief Buchanan explained this supports the Axon body cameras and supports the software and firmware updates. He noted that it is a little cheaper this year.

Mrs. McElfresh moved to suspend the rule requiring the reading of Emergency Resolution No. 16-2022 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. 16-2022 by title only.

Mrs. McElfresh moved to adopt Emergency Resolution No. 16-2022; seconded by Mr. Frentzel. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 17-2022. A Resolution authorizing the City Manager to enter into an agreement by and between the City of Monroe and Majors Enterprises Inc. for the Greentree Road Culvert Replacement and declaring an emergency.

Mr. Morton reported the 24 inch corrugated pipe on Greentree Road is rotten and water is flowing around the pipe rather than through it. There is fear if the repairs are not made as soon as possible the road could collapse due to the weight of the vehicles that travel this area. Mr. Morton reached out to Warren County to see if there could be a joint effort to make the repairs and Warren County agreed to take care of the traffic control and set up the detour. In addition, we can utilize the Warren County vehicle tax monies in the amount of $18,000 towards this project.

Mr. Brock advised this has not been budgeted, but it is an emergency before any incidents occur on a failed pipe.

Mrs. McElfresh moved to suspend the rule requiring the reading of Emergency Resolution No. 17-2022 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. 17-2022 by title only.

Mrs. McElfresh moved to adopt Emergency Resolution No. 17-2022; seconded by Mr. Bellapianta. Roll call vote: six ayes. Motion carried.

Consideration of Motion to authorize the expenditure of $77,620.41 to purchase a 305 Mini Hydraulic Excavator for the Department of Public Works.

Mr. Morton reported this will replace a 2006 excavator that is in need of serious repairs and not worth putting money into.

Mr. Callahan asked if the old one would be traded in. Mr. Morton advised we will, but do not have a trade number yet. In addition, there is a skid loader as well they will be getting rid of.

Mrs. McElfresh moved to authorize the expenditure of $77,620.41 to purchase a 305 Mini Hydraulic Excavator for the Department of Public Works; seconded by Mr. Frentzel. Voice vote. Motion carried.

Administrative Reports

Mr. Brock reminded Council that Memorial Day is coming up and requested Council members to let Mrs. Wasson know if they are available to attend the ceremony.

Mr. Brock referred to his supplemental report that listed a few items he wanted to get direction from Council about. He wanted to keep these items top-of-mind to continue moving forward.

Mrs. McElfresh thanked Mr. Brock for wanting to keep these items on the forward moving radar; however, she would like to have a separate work session to go through the items that Mr. Brock included in the supplemental report.

The Clerk of Council will coordinate a date and time for this work session.

Mr. Bellapianta announced that he recently graduated from the Monroe Police Academy and complimented Chief Buchanan, Officer Joshua King, and especially the Auxiliary officers that were present throughout everything.

Chief Buchanan thanked Mr. Bellapianta for his kind words and recognized the dispatchers for the work they do as this is 9-1-1 Telecommunicators Week

Mrs. McElfresh expressed her appreciation for the combined meeting held with the Monroe School Board last evening.

- **Executive Session –** To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance.

Mrs. McElfresh moved to adjourn into executive session to prepare for negotiations with public employees concerning their compensation or other terms and conditions of their employment and consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance; seconded by Mr. Bellapianta. Roll call vote: six ayes. Motion carried.

Council adjourned into executive session at 7:18 p.m.

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

Council reconvened into regular session at 8:35 p.m.

Mr. Frentzel announced that the Warren County Municipal League will hold a dinner meeting on April 20th at the Golden Lamb. The speaker that evening will be Warren Common Pleas Court Judge Timothy Tepe who presides over the Veterans Court. Mr. Frentzel asked members of Council let either he or the Clerk of Council know if they would like to attend.

Adjournment

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

The regular meeting of Council adjourned at 8:37 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

City Council Minutes
Special Meeting of Council
April 19, 2022
233 South Main Street, Monroe, Ohio

Pledge of Allegiance

Mayor Funk opened the special meeting of Council at 6:00 p.m. with the Pledge of Allegiance.

Roll Call

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

American Rescue Plan Act Funds (ARPA)

Mr. Brock reported that we should be receiving the second portion soon and, while this could be accomplished through the budget process, he requested input from Council if there were any particular areas Council would like to focus on. Mr. Brock advised the funds could be used for:

- **Support public health expenditures**. He did not believe there was much that could fall under this.
- **Address negative economic impacts caused by the public health emergency and replace lost public sector revenue**. We haven't really addressed any economic impacts. An attempt was made through the Monroe Area Community Improvement Corporation and there was not a lot of response from the small business in the City.
- **Invest in water, sewer, and broadband infrastructure**. The possibility of utilizing the funds for broadband infrastructure was discussed in a Technology Committee meeting. In addition to some of the water projects.
- **Provide premium pay for essential workers**. Many places have given staff a stipend, especially with the inflation and as we are coming out the pandemic.

In response to Mayor Funk's question Mr. Brock estimated funds the City would receive at $1.4 million. That does not include if the City would like to seek additional funds from the County's portion that received around $70 million.

Mayor Funk referred to the $60,000 infrastructure bill we were not expecting and asked if that is a project that would qualify for those funds. Mr. Brock believed it would.

Mayor Funk supported fiber and not against a stipend for staff. Mr. Brock will provide more information in those areas.

Dr. Clark asked about funding the Community Paramedic position and Mr. Brock explained that program is dependent on our staffing levels.

Mr. Frentzel asked if the study for Monroe Bicentennial Commons could be paid for from these funds even though it is not a true stormwater project. Mr. Brock will look into that. Otherwise, Mr. Frentzel did not have any preference on the expenditure of the funds provided that it will not be a reoccurring expense that the City would incur.

Mrs. McElfresh supported the use of the funds for fiber. Mr. Brock advised that he should have numbers for that for the Technology Committee meeting next month.

Mr. Bellapianta asked what happens to the funds if the City does not use it. Mr. Brock advised that it would be reallocated to other jurisdictions and costs must be incurred by December of 2024.

Succession Planning and Executive Compensation.

Mr. Brock gave an example of his position and what he will do at the end of his contract. Council needs to set the stage on what they will look for moving forward. In addition, other staff that will be leaving for smooth transitions and good benefit packages for the replacement of these individuals.

It was the consensus of Council that a separate committee be established to review this. Mr. Bellapianta, Mrs. McElfresh, and Mr. Wagner expressed an interest in serving on this committee. Mayor Funk and Mr. Frentzel advised they would serve if needed.

Mr. Wagner asked what the lifespan of the committee will be and Mr. Brock replied that it should be short-term and hopes to have everything in place this year.

Mr. Frentzel asked if the committee would only focus on the City Manager's position. Mr. Brock advised that it would also focus on both chief positions, retire/rehire, and understanding the DROP program through the Ohio Police & Fire Retirement System.

Dedicated Communications.

Mr. Brock failed to provide Council the scope on this and will provide it in the next supplemental report.

Charter Recommendations.

Dr. Clark informed Council that she was able to speak with the other active members of the Charter Review Commission and their recommendations stand and did not feel it was necessary for them to meet again on this.

Mrs. McElfresh did not believe it is right for Council to prevent all of the recommendations from the Charter Review Commission from going to a vote of the electors.

When these recommendations were first brought up he was opposed to some items being lumped together. Mr. Bellapianta and Mrs. McElfresh agreed they should be separated.

It was the consensus of Council to schedule another special meeting to further discuss the Charter recommendations and including the absentee policy in the Rules of Council.

Community Engagement.

Mr. Brock stated this is an item that came from the retreat. Looking at a community survey the University of Cincinnati can do that for approximately $8,000. They will put the survey out in various ways and know you have good quality responses.

Mr. Wagner asked what their methodology is besides telephone calls and Mr. Brock will find that out.

Board Assignments

Mr. Brock referred to suggestions on the strategic plan assignments asking Council if they had any objection to his recommendations.

There were no objections to Mr. Brock's recommendations.

Adjournment

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

The special meeting of Council adjourned at 7:08 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

Minutes of the Combined Meeting with
Monroe City Council and the Park and Recreation Board
April 13, 2022
250 Jerry Couch Boulevard, Monroe, Ohio

The Park and Recreation Board and Monroe City Council held a combined meeting on April 13, 2022 at 5:33 p.m. This meeting was held at Monroe Bicentennial Commons located at 250 Jerry Couch Boulevard, Monroe, Ohio.

In the absence of the Chair, Michael Marchetti was appointed as Acting Chair.

Roll Call

Park and Recreation Board members present: Craig Silverglade, Jeff Hanson, Josh Howard, and Michael Marchetti.

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

Staff members present were: William J. Brock, City Manager; Gary Morton, Director of Public Works; Brian Perkins, Assistant Director of Public Works; Donna Campbell, Recording Secretary; Angela S. Wasson, Assistant to the City Manager/Clerk of Council; Kameryn Jones, Assistant Director of Development; Jennifer Patterson, Assistant to the City Manager/Economic Development; and Kacey L. Waggaman, Assistant City Manager.

Approval of the Minutes

Mr. Hanson moved to approve the Park and Recreation Board minutes of March 16, 2022; seconded by Mr. Howard Voice vote. Motion carried.

Old Business

None.

New Business

Mrs. Patterson presented a rendering of a proposed mural prepared by the Senior Art Students from the Monroe Local School District to be painted on the building at the Monrover Dog Park. She reported that donations for the paint will be sought and an idea was to have the Senior Art Students paint a new mural on the building every year. Preparation of the building for painting is minimal as it would only need power washed and white paint. Mrs. Patterson further reported that once the use of the building is determined an additional mural on the front of the building will be considered.

Mr. Hanson asked if there were security cameras in the area and Mr. Morton advised there were not.

Mr. Hanson moved to approve the mural for the building at the Monrover Dog Park; seconded by Mr. Howard. Voice vote. Motion carried.

Joe Godbey of the Greater Cincinnati Disc Golf Association requested approval for the use of the Monroe Community Park on May 15, 2022, from 7 a.m. to 7 p.m. for a disc golf tournament. Mr. Godbey noted that the Old T-Sign at Hole 20 is placed in an area that causes players to frequently hit their hand and asked if it could be moved slightly.

Mr. Howard moved to approve the use of the Monroe Community Park by the Greater Cincinnati Disc Golf Association for May 15, 2022, from 7 a.m. to 7 p.m.; seconded by Mr. Hanson. Voice vote. Motion carried.

Administrative Reports

Mr. Morton reported on the status and issues with the continuation of improvements to Monroe Bicentennial Commons.

The concrete still has some areas that are slippery; however, they are having that corrected.

Due to the drainage issues, Mr. Morton recommended that Phase 2 of the improvements to Monroe Bicentennial Commons be put off until next year. He advised that a hydrology study and core samples are necessary to determine what work is necessary to resolve the drainage problem. He estimates the hydrology study would take approximately four to six months and could cost between $150,000 to $200,000 noting that this was just a quick estimate and it could be closer to $100,000. Mr. Morton explained there is four or five foot of concrete under some of the areas in the Park due to continuous building on top of the same area; therefore, preventing the proper drainage of water. After the hydrology study and core samples are completed it is possible that the City will have a couple of options. One is to provide an outlet to the river; however, that will involve pulling permits from the Army Corps of Engineers and the Ohio Environmental Protection Agency. Another option is the installation of a lift station that would overflow into the existing lake that is currently empty. Mr. Morton felt this option would not only help with the City's Storm Water Prevention Plan, but also serve as an educational opportunity to the park.

Mr. Morton stated this is a good opportunity to revisit the Master Plan making sure it still aligns with the vision of the Park and Recreation Board and City Council. He requested that the existing architectural firm be terminated from the project and recommended MSA as the architectural firm for the design and Fishbeck as the engineering firm that will oversee the construction. Mr. Morton advised that there were several items of concern that arose under the existing architectural firm.

Mr. Brock reported that his office has submitted a request for state funding that would construct an area to be known as "Look Out Point" near the river.

In closing, it was agreed that the Park and Recreation Board will discuss the hydrology study as Mr. Morton will have a definite cost estimate for this by their May meeting. Thereafter, the Park and Recreation Board will make a recommendation to City Council.

The combined meeting adjourned at 6:57 p.m.

Respectfully submitted,

Donna Campbell
Recording Secretary

Angela S. Wasson, MMC
Clerk of Council

ORDINANCE NO. 2022-04

AN ORDINANCE REPEALING CHAPTER 1028 KNOWN AS COMPREHENSIVE STORMWATER MANAGEMENT AND AMENDING AND SUPPLEMENTING CHAPTER 1028.

WHEREAS, the United States Environmental Protection Agency and the Ohio Environmental Protection Agency have mandated changes to the stormwater management regulations for all municipalities.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: Chapter 1028 known as Comprehensive Stormwater Management is hereby repealed and amended and supplemented to read as follows:

"1028.01. – Purpose and scope.

(a) The purpose of this Chapter is to establish technically feasible and economically reasonable stormwater management standards to achieve a level of stormwater quality and quantity control that will minimize damage to property and degradation of water resources, and will promote and maintain the health, safety, and welfare of the citizens of the City of Monroe ("City").

(b) This Chapter requires owners who develop or re-develop their property within the City to:

(1) Control stormwater runoff from their property and ensure that all stormwater management practices are properly designed, constructed, and maintained.
(2) Reduce water quality impacts to receive water resources that may be caused by new development o redevelopment activities.
(3) Control the volume, rate, and quality of stormwater runoff originating from their property so that surface water and groundwater are protected, and flooding and erosion potential are not increased.
(4) Minimize the need to construct, repair, and replace subsurface storm drain systems.
(5) Preserve natural infiltration and groundwater recharge, and maintain subsurface flow that replenishes water resources, except in slippage prone soils.
(6) Incorporate stormwater quality and quantity controls into site planning and design at the earliest possible stage in the development process.
(7) Reduce the expense of remedial projects needed to address problems caused by inadequate stormwater management.
(8) Maximize use of stormwater control measures that serve multiple purposes including, but not limited to, flood control, erosion control, fire protection, water quality protection, recreation, and habitat preservation.
(9) Design sites to minimize the number of stream crossings and the width of associated disturbance to minimize the City's future expenses related to the maintenance and repair of stream crossings.

(10) Maintain, promote, and re-establish conditions necessary for naturally occurring stream processes that assimilate pollutants, attenuate flood flows, and provide a healthy water resource.

(c) This Chapter shall apply to all parcels used or being developed, either wholly or partially, for new or relocated projects involving highways and roads; subdivisions or larger common plans of development; industrial, commercial, institutional, or residential projects; building activities on farms; redevelopment activities; grading; and all other uses that are not specifically exempted in this Chapter.

(d) Public entities, including the State of Ohio, Butler County, Warren County, and the City shall comply with this Chapter for linear projects within public rights-of-way (e.g., roadway and sidewalk projects).

(e) This Chapter does not require a Comprehensive Stormwater Management Plan for linear construction projects, such as pipeline or utility line installation, that do not result in the installation of impervious surface as determined by the Director of Public Works or Ohio EPA. Such projects must be designed to minimize the number of street crossings and the width of disturbance. Linear construction projects must comply with the requirements of this Chapter.

1028.02. – Definitions.

The definitions contained in Ohio Environmental Protection Agency ("Ohio EPA")'s Construction General Permit entitled "Authorization for Stormwater Discharges Associated with Construction Activity under the National Pollutant Discharge Elimination System" and Ohio EPA's Municipal Separate Storm Sewer (MS4) Permit entitled "Authorization for Small Municipal Separate Storm Sewer Systems to Discharge Stormwater Under the National Pollutant Discharge Elimination System" in effect at the time a permit is applied for under this Chapter shall apply to this Chapter and the following definitions shall also apply:

Abbreviated Stormwater Pollution Prevention Plan (Abbreviated SWP3): Also known as individual lot/small lot SWP3. The written document that sets forth the plans and practices to be used to meet the requirements of this Chapter for sites disturbing 0.1 (one tenth) to one (1) acre of land.

Acre: A measurement of area equaling 43,650 square feet.

As-built Survey: A survey shown on a plan or drawing prepared by a registered surveyor indicating the actual dimensions, elevations, and locations of any structures, facilities, and sewage treatment facilities after construction has been completed.

Best Management Practice (BMP): Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices (both structural and non structural) to prevent or reduce the pollution of surface waters of the state. BMPs also include treatment requirements,

operating procedures, and practices to control plant and/or construction site runoff, spillage, leaks, sludge, waste disposal, or drainage from raw material storage.

Clean Water Act. Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 995-576, Pub. L. 96483, Pub. L. 97-117, and Pub. L. 100-4, 33 U.S.C. 1251 (et. Seq.). Referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972.

Community: The City of Monroe, its designated representatives, boards, or commissions.

Comprehensive Stormwater Management Plan: The written document and plans meeting the requirements of this Chapter, that sets forth the plans, practices, and stormwater control measures to minimize stormwater runoff from a development area, to safely convey or temporarily store and release post development runoff at an allowable rate to minimize flooding and stream bank erosion, and to protect or improve stormwater quality and stream channels.

Conservation Easement: A voluntary legal agreement that permanently limits uses of the land in order to protect its conservation values. As defined in OCR 5301.67(A) , an incorporeal right or interest in land that is held for the public purpose of retaining land, water, or wetland areas predominantly in their natural, scenic, open, or wooded condition, including without limitation, the use of land in agriculture when consistent with and in furtherance of the purpose of retaining those areas in such a condition, or retaining their use predominantly as suitable habitat for fish, plants, or wildlife; that imposes any limitations on the use or development of the areas that are appropriate at the time of creation of the conservation easement to achieve one or more of those purposes; and that includes appropriate provisions for the holder to enter the property subject to the easement at reasonable times to ensure compliance with its provisions.

Construction Entrance: The permitted points of ingress and egress to development areas regulated under this Chapter.

Construction General Permit: The most recent General National Pollutant Discharge Elimination System (NPDES) permit for authorization of stormwater discharges associated with construction activities issued by Ohio EPA (Ohio EPA Permit #OHC000005 and its successors).

Critical Area: Any area the disturbance of which would cause soil erosion and sediment runoff and damage to private properties, water courses, storm sewers or public lands due to topography, soil type, hydrology, or proximity to a water course. These areas include, but are not limited to, riparian areas, wetlands, and highly erodible soils.

Critical Storm: A storm that is determined by calculating the percentage increase in volume of runoff by a proposed development area for the 1 year 24 hour event. The critical storm is used to calculate the maximum allowable stormwater discharge rate from a developed site.

Detention Facility: A basin, pond, oversized pipe, or other structure that reduces the peak flow rate of stormwater leaving the facility by temporarily storing a portion of the stormwater entering the facility.

Development Area: A parcel or contiguous parcels owned by one person or persons, or operated as one development unit, and used or being developed for commercial, industrial, residential, institutional, or other construction or alteration that changes runoff characteristics.

Development Drainage Area: A combination of each hydraulically unique watershed with individual outlet points on the development area.

Director of Public Works: Department head of the Department of Public Works or designee.

Disturbed Area: An area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.

Drainage: The removal of excess surface water or groundwater from land by surface or subsurface drains.

Environmental Protection Agency or United States Environmental Protection Agency (USEPA): means the United States Environmental Protection Agency, also including but not limited to the Ohio Environmental Protection Agency (Ohio EPA), or any duly authorized official of said agency.

Erosion: The process by which the land surface is worn away by the action of wind, water, ice, gravity, or any combination of those forces.

Erosion and Sediment Control: The control of soil, both mineral and organic, to minimize the removal of soil from the land surface and to prevent its transport from a disturbed area by means of wind, water, ice, gravity, or any combination of those forces.

Extended Conveyance: A stormwater management practice that replaces and/or enhances traditional open or closed stormwater drainage conduits by retarding flow, promoting percolation of runoff into the soil, and filtering pollutants during the storm event.

Extended Detention: A stormwater management practice that replaces and/or enhances traditional detention facilities by releasing the runoff collected during the stormwater quality event over at least 24 to 48 hours, retarding flow and allowing pollutants to settle within the facility.

Final Stabilization: All soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of at least 80 percent coverage for the area has been established or equivalent stabilization practices, such as the use of mulches or geotextiles have been employed.

Floatable Material: In general this term refers to any foreign matter that may float or remain suspended in the water column, and includes but is not limited to, plastic, aluminum cans, wood products, bottles, and paper products.

Grading: The process in which the topography of the land is altered to a new slope.

Hydrologic Unit Code: A cataloging system developed by the United States Geological Survey and the natural resource conservation service to identify watersheds in the United States.
Illegal Connection: Any drain or conveyance, whether on the surface or subsurface, that allows an illicit discharge to enter the MS4.

Illicit Discharge: As defined at 40 C.F.R. 122.26 (b)(2) means any discharge to an MS4 that is not composed entirely of stormwater, except for those discharges to an MS4 pursuant to a NPDES permit or noted in section 1028.29 of this Chapter.

Impervious Cover: Any surface that cannot effectively absorb or infiltrate water. This may include roads, streets, parking lots, rooftops, sidewalks, and other areas not covered by vegetation.

Infiltration. A stormwater management practice that does not discharge to a water resource during the stormwater quality event, requiring collected runoff to either infiltrate into the groundwater and/or be consumed by evapotranspiration, thereby retaining stormwater pollutants in the facility.

Individual/Small Lot Stormwater Pollution Prevention Plan (SWP3): Also known as an abbreviated SWP3. The written document that sets forth the plans and practices to be used to meet the requirements of this Chapter for sites disturbing 0.1 (one tenth) to one (1) acre of land.

Landscape Architect: A professional landscape architect registered in the State of Ohio.

Larger Common Plan of Development: A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

Maximum Extent Practicable: The level of pollutant reduction that operators of small municipal separate storm sewer systems regulated under 40 C.F.R. Parts 9, 122, 123, and 124, referred to as NPDES Stormwater Phase II, must meet.

Municipal Separate Storm Sewer System (MS4): as defined at 40 C.F.R. 122.26 (b)(8), municipal separate storm sewer system means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man made channels, or storm drains): owned or operated by a State, City, town, borough, county, parish, district, municipality, township, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over sewage, industrial wastes, including special districts under State law such as a sewer district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges to waters of the United States; Designed or used for collecting or conveying stormwater; which is not a combined sewer; and which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 C.F.R. 122.2.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general areawide basis.

Non-structural Stormwater Management Practice: Stormwater runoff control and treatment techniques that use natural practices to control runoff and/or reduce pollution levels.

Off-lot Discharging Home Sewage Treatment System: A system designed to treat home sewage on-site and discharges treated wastewater effluent off the property into a stormwater surface water conveyance or system.

Owner/Operator: Means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or on the owner's behalf.

Parcel: Means a tract of land occupied or intended to be occupied by a use, building or group of buildings and their accessory uses and buildings as a unit, together with such open spaces and driveways as are provided and required. A parcel may contain more that one contiguous lot individually identified by a "permanent parcel number" assigned by the Butler County or Warren County Auditor's Office.

Person: Any individual, corporation, firm, trust, commission, board, public or private partnership, joint venture, agency, unincorporated association, municipal corporation, county or state agency, the federal government, other legal entity, or an agent thereof.

Phasing: Clearing a parcel of land in distinct sections, with the stabilization of each section before the clearing of the next.

Pollutant: Means anything that causes or contributes to pollution. Pollutants may include, but are not limited to, paints, varnishes, solvents, oil and other automotive fluids, non-hazardous liquid and solid wastes, refuse, rubbish, garbage, litter or other discarded or abandoned objects, floatable materials, pesticides, herbicides, fertilizers, hazardous materials, wastes, sewage, dissolved and particulate metals, animal wastes, residues that result from constructing a structure, and noxious or offensive matter of any kind.

Post Development: The conditions that exist following the completion of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of stormwater runoff.

Pre-construction Meeting: Meeting prior to construction between all parties associated with the construction of the project including government agencies, contractors and owners to review agency requirements and plans as approved and submitted.

Pre Development: The conditions that exist prior to the initiation of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of stormwater runoff.

Professional Engineer: A Professional Engineer registered in the State of Ohio with specific education and experience in water resources engineering, acting in conformance with the Code of Ethics of the Ohio State Board of Registration for Engineers and Surveyors.

Qualified Inspection Personnel: As defined in the Construction General Permit, means a person knowledgeable in the principles and practice of erosion and sediment controls, who possesses the skills to assess all conditions at the construction site that could impact stormwater quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of stormwater discharges from the construction activity.

Rainwater and Land Development: Ohio's standards for stormwater management, land development, and urban stream protection. The most current edition of these standards shall be used with this Chapter.

Redevelopment: A construction project on land where impervious cover has previously been developed and where the new land use will not increase the runoff coefficient. If the new land use will increase the runoff coefficient, then the project is considered to be a new development project rather than a redevelopment project.

Riparian and Wetland Setback: The real property adjacent to a designated watercourse located in the area defined by the criteria set forth in this Chapter.

Riparian Area: Land adjacent to any brook, creek, river, or stream having a defined bed and bank that, if appropriately sized, helps to stabilize stream banks, limit erosion, reduce flood size flows, and/or filter and settle out runoff pollutants, or performs other functions consistent with the purposes of this Chapter.

Runoff: The portion of rainfall, melted snow, or irrigation water that flows across the ground surface and is eventually returned to water resources.

Sediment: The soils or other surface materials that can be transported or deposited by the action of wind, water, ice, or gravity as a product of erosion.

Sedimentation: The deposition of sediment in water resources.

Setback: A designated transition area around water resources or wetlands that is left in a natural, usually vegetated, state so as to protect the water resources or wetlands from runoff pollution. Soil disturbing activities in this area are restricted by this Chapter.

Site Owner/Operator: Any individual, corporation, firm, trust, commission, board, public or private partnership, joint venture, agency, unincorporated association, municipal corporation, county or state agency, the federal government, other legal entity, or an agent thereof that is responsible for the overall construction site.

Soil and Water Conservation District: An entity organized under Ohio R.C. Chapter 1515 referring to either the soil and water conservation district board or its designated employee(s). Hereafter referred to as Butler SWCD.

Soil Disturbing Activity: Clearing, grading, excavating, scalping, filling, or other alteration of the earth's surface where natural or human made ground cover is destroyed that may result in, or contribute to, increased stormwater quantity and/or decreased stormwater quality.

Stabilization: The use of best management practices that reduce or prevent soil erosion by stormwater runoff, trench dewatering, wind, ice, gravity, or a combination thereof.

Staged Development: Also known as phased development. When the applicant intends to develop a given area but only begins with a portion of that area. Staged development should be self-sufficient from the standpoint of drainage.

Stormwater: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stormwater Control Measure (SCM): A structure or area designed to remove pollutants from stormwater and/or reduce stormwater flow rates. stormwater control measures are a subset of Best Management Practices (BMPs) as defined in the Construction General Permit.

Stormwater Pollution Prevention Plan (SWP3): The written document that sets forth the plans and practices to be used to meet the requirements of this Chapter.

Structural Stormwater Management Practice: Any constructed facility, structure, or device that provides storage, conveyance, and/or treatment of stormwater runoff.

Surface Waters of the State: All streams, lakes, reservoirs, marshes, wetlands, or other waterways situated wholly or partly within the boundaries of the state, except those private waters which do not combine or affect a junction with surface water. Waters defined as sewerage systems, treatment works or disposal systems in Ohio R.C. 6111.01 are not included.

Total Maximum Daily Load (TMDL): The sum of the existing and/or projected point source, non-point source, and background loads for a pollutant to a specified watershed, water body, or water body segment. A TMDL sets and allocates the maximum amount of a pollutant that may be introduced into the water and still ensures attainment and maintenance of water quality standards.

Unstable Soils: A portion of land that is identified by the City engineer as prone to slipping, sloughing, or landslides, or is identified by the U.S. Department of Agriculture Natural Resource Conservation Service methodology as having a low soil strength.

Wastewater: The spent water of a community. From the standpoint of a source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.

Water Quality Volume: The volume of runoff from a contributing watershed that must be captured and treated, equivalent to the maximized capture volume as defined in the American Society of Civil Engineers (ASCE) Manual and Report on Engineering Practice No. 87 and Water Environment Federation Manual of Practice No. 23 titled Urban Runoff Quality Management.

Watercourse: Any brook, channel, creek, river, or stream having banks, a defined bed, and a definite direction of low, either continuously or intermittently flowing.

Water Resource: Any stream, lake, reservoir, pond, marsh, wetland, or waterway situated wholly or partly within the boundaries of the state, except those private waters which do not combine or affect a junction with surface water. Waters defined as sewerage systems, treatment works or disposal systems in section 6111.01 of the Ohio Revised Code are not included.

Watershed: The total drainage area contributing stormwater runoff to a single point.

Wetland: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bog, and similar areas (40 CFR 232, as amended).

Wetland Setback: Those lands within the City of Monroe that fall within the area defined by the criteria set forth in this Chapter.

1028.03 - Disclaimer of Liability.

(a) Compliance with the provisions of this Chapter shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this Chapter are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or any particular parcel of property.
(b) By approving a Comprehensive Stormwater Management Plan under this Chapter, the City does not accept responsibility for the design, installation, and operation and maintenance of stormwater control measures.

1028.04 - Conflicts, severability, nuisances, and responsibility.

(a) Where this Chapter is in conflict with other provisions of law or ordinance or requirements in the Construction General Permit, the most restrictive provisions, as determined by the Director of Public Works, shall prevail.
(b) If any clause, section, or provision of this Chapter is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.
(c) This Chapter shall not be construed as authorizing any person to maintain a nuisance on their property, and compliance with the provisions of this Chapter shall not be a defense in any action to abate such a nuisance.
(d) Failure of the City to observe or recognize hazardous or unsightly conditions shall not relieve the site owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the City, its officers, employees, or agents being responsible for any condition or damage resulting therefrom.
(e) The City shall administer, implement, and enforce the provisions of this Chapter. The City may contract with outside agencies to conduct inspections and monitoring and to assist with enforcement actions.

1028.05 - Development of Comprehensive Stormwater Management Plans.

(a) This Chapter requires that a Comprehensive Stormwater Management Plan be developed and implemented for all soil disturbing activities one (1) or more acres of total land, or less than one (1) acre if part of a larger common plan of development or sale disturbing one (1) or more acres of total land, and on which any regulated activity of this Chapter is proposed.
(b) A Comprehensive Stormwater Management Plan must be developed and implemented for all commercial and industrial site development disturbing more than 10,000 square feet.
(c) The Director of Public Works may require a Comprehensive Stormwater Management Plan for any soil disturbing activity.
(d) The City shall administer this Chapter, shall be responsible for determination of compliance with this Chapter, and shall issue notices and orders as may be necessary. The City may consult with the Butler and Warren County SWCD, state agencies, private engineers, stormwater districts, or other technical experts in reviewing the Comprehensive Stormwater Management Plan.

1028.06 - Development of stormwater pollution prevention plans (SWP3).

(a) This Chapter requires that a Stormwater Pollution Prevention Plan (SWP3) be developed and implemented for all soil disturbing activities disturbing one (1) or more acres of total land, or less than one (1) acre if part of a larger common plan of development or sale disturbing one (1) or more acres of total land. The Director of Public Works may require a SWP3 for sites disturbing less than one (1) acre.
(b) The following activities shall submit an Abbreviated SWP3 (also known as an Individual/Small Lot SWP3):
    1. New single-family residential construction that disturbs 0.1 (one tenth) up to one (1) acre of land.
    2. Additions or accessory buildings for single-family residential construction that disturb 0.1 (one tenth) up to one (1) acre of land.
    3. All non-residential construction that disturb 0.1 (one tenth) - up to one (1) acre of land.
    4. General clearing activities not related to construction that disturb 0.1 (one tenth) up to one (1) acre of land.
    5. Activities disturbing 0.1 (one tenth) or less of an acre are not required to submit a SWP3, unless required by the City engineer. These activities must comply with all other provisions of this Chapter.

1028.07 - Application procedures.

(a) Pre-Application Meeting: The applicant shall attend a Pre-Application Meeting with the Director of Public Works to discuss the proposed project, review the requirements of this Chapter, identify unique aspects of the project that must be addressed during the review process, and establish a preliminary review and approval schedule.
(b) Stormwater Review Application: The applicant shall submit the stormwater review application and fee worksheet along with the initial submittal for the items below. Applications shall include the required items on the Stormwater Review Checklist to be considered complete.
(c) Preliminary Comprehensive Stormwater Management Plan: The applicant shall submit two (2) sets of a Preliminary Comprehensive Stormwater Management Plan and the applicable fees to the Director of Public Works. The Preliminary Plan shall show the proposed property boundaries, setbacks, dedicated open space, public roads, water resources, stormwater control

measures, and easements in sufficient detail and engineering analysis to allow the City engineer to determine if the site is laid out in a manner that meets the intent of this Chapter and if the proposed SCMs are capable of controlling runoff from the site in compliance with this Chapter.

(d) The applicant shall submit two (2) sets of the Preliminary Plan and applicable fees as follows:
   1. For subdivisions: In conjunction with the submission of the preliminary subdivision plan.
   2. For other construction projects: In conjunction with the application for a zoning permit.

(e) Soil Disturbing Activities Submitting a Stormwater Pollution Prevention Plan (SWP3): The applicant shall submit two (2) sets of the SWP3, the stormwater review application, and the applicable fees to the City as follows:
   1. For subdivisions: After the approval of the preliminary plans and with the submittal of the Final Comprehensive Stormwater Management Plan.
   2. For other construction projects: With the Final Comprehensive Stormwater Management Plan before issuance of a building permit by the development department.
   3. For general clearing projects: Before the issuance of a building permit by the development department.

(f) Soil Disturbing Activities Submitting an Abbreviated Stormwater Pollution Prevention Plan (SWP3), also known as Individual/Small Lot SWP3: The applicant shall submit two sets of the abbreviated SWP3, the stormwater review application, and applicable fees to the City as follows:
   1. For single-family home construction: Before issuance of a building permit by the development department.
   2. For other construction projects. Before issuance of a building permit by the development department.
   3. For general clearing projects. Prior to issuance of a building permit by the development department.

(g) Final Comprehensive Stormwater Management Plan: The applicant shall submit two (2) sets of a Final Comprehensive Stormwater Management Plan and the applicable fees to the Director of Public Works in conjunction with the submittal of the final plat, improvement plans, or application for a building or zoning permit for the site. Final Comprehensive Stormwater Management Plans shall meet the requirements of this Chapter and shall be approved by the Director of Public Works prior to approval of the final plat and/or before issuance of a building permit from the development department.

(h) Review and Comment: The Director of Public Works review the Preliminary and Final Plans submitted and shall approve or return for revisions with comments and recommendations for revisions. A Preliminary or Final Plan rejected because of deficiencies shall receive a narrative report stating specific problems and the procedures for filing a revised Preliminary or Final Plan.

(i) Changes and Resubmission: Changes made without resubmission and approval may result in revocation of approval.
   1. Should the approval of other local government, federal, or state agencies require changes to the proposed Comprehensive Stormwater Management Plan, such changes shall be incorporated in a new Comprehensive Stormwater Management Plan and resubmitted for review by the Director of Public Works.
   2. If the applicant finds it advantageous to make changes in the preliminary comprehensive Stormwater Management Plan or site plan, they shall be incorporated in the plan and a new

comprehensive Stormwater Management Plan shall be resubmitted for approval. Resubmission is required even though the original layout may have already been approved.

3. If the applicant finds it advantageous or necessary to make design changes, or if the information on the comprehensive Stormwater Management Plan does not represent the conditions as they exist on the ground, and revisions are required as a result, such revisions shall be made by the applicant and the comprehensive Stormwater Management Plan resubmitted to the Director of Public Works for approval.

(j) Staged Development: Should the applicant plan to develop a given area but wish to begin with only a portion of the total area, the original comprehensive Stormwater Management Plan shall include the proposed general layout of the entire area.

1. Each phase of a staged development shall be self-sufficient from the standpoint of drainage both during and after construction.
2. A phased SWP3 is required for projects which will be completed in stages.
3. The first phase of the development shall be clearly superimposed upon the overall plat or site plan in order to clearly illustrate the method of development that the applicant intends to follow. Each subsequent phase shall follow the same procedure until the entire area controlled by the applicant is developed.
4. Final acceptance by the Director of Public Works of only one portion or phase of a development does not ensure final acceptance of any subsequent phases or the overall general site plan for the entire area; nor does it mandate that the overall general site plan be followed as originally proposed if deviations or modifications acceptable to the Director of Public Works are proposed.

(k) Approval Necessary: Land clearing or soil disturbing activities shall not begin and zoning and/or building permits shall not be issued without:

1. Approved Comprehensive Stormwater Management Plan.
2. Approved SWP3 or Abbreviated SWP3.
3. NOI Submittal to Ohio EPA and NPDES permit issued (When Applicable).
4. Physical marking in the field of protected areas or critical areas, including wetlands and riparian areas.
5. Installation of construction entrances, perimeter sediment barriers, and other erosion and sediment controls that must be in place to address initial site conditions.

(l) SWP3 for individual sublots in a subdivision will not be approved unless the larger common plan of development or sale containing the sublot is in compliance with this Chapter.

(m) The developer, engineer and contractor, and other principal parties, shall meet with the Director of Public Works for a pre-construction meeting no less than seven (7) days prior to soil-disturbing activity at the site to ensure that erosion and sediment control devices are properly installed, limits of disturbance and buffer areas are properly delineated and construction personnel are aware of such devices and areas. Pre-construction meetings for Abbreviated SWP3s may be waived at the discretion of the City engineer.

(n) Approvals issued in accordance with this Chapter shall remain valid for two (2) years from the date of approval or as stipulated in the Construction General Permit. SWP3 and Abbreviated SWP3 approvals shall remain valid for one (1) year from the date of approval.

1028.08 - Compliance with state and federal regulations.

Approvals issued in accordance with this Chapter do not relieve the applicant of responsibility for obtaining all other necessary permits and/or approvals from other federal, state, and/or county agencies. If requirements vary, the most restrictive shall prevail. These permits may include, but

are not limited to, those listed below. Applicants are required to show proof of compliance with these regulations before the City of Monroe will issue a building or zoning permit.

(a) Ohio Environmental Protection Agency (Ohio EPA) National Pollutant Discharge Elimination System (NPDES) Permits authorizing stormwater discharges associated with construction activity or the most current version thereof: Proof of compliance with these requirements shall be the applicant's Notice of Intent (NOI), a copy of the Ohio EPA Director's Authorization Letter with NPDES Facility Permit number for the NPDES Permit, or a letter from the site owner certifying and explaining why the NPDES Permit is not applicable.

(b) Section 401 of the Clean Water Act: Proof of compliance shall be a copy of the Ohio EPA Water Quality Certification application tracking number, public notice, project approval, or a letter from the site owner certifying that a qualified professional has surveyed the site and determined that section 401 of the Clean Water Act is not applicable. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time of application of this Chapter.

(c) Ohio EPA Isolated Wetland or Ephemeral Stream Permit: Proof of compliance shall be a copy of Ohio EPA's Isolated Wetland Permit or Ephemeral Stream Permit application tracking number, public notice, project approval, or a letter from the site owner certifying that a qualified professional has surveyed the site and determined that Ohio EPA's Isolated Wetlands Permit or Ephemeral Stream Permit is not applicable. Isolated wetlands shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time of application of this Chapter.

(d) Section 404 of the Clean Water Act: Proof of compliance shall be a copy of the U.S. Army Corps of Engineers Individual Permit application, public notice, or project approval, if an Individual Permit is required for the development project. If an Individual Permit is not required, the site owner shall submit proof of compliance with the U.S. Army Corps of Engineer's Nationwide Permit Program. This shall include one of the following:
    1. A letter from the site owner certifying that a qualified professional has surveyed the site and determined that section 404 of the Clean Water Act is not applicable.
    2. A site plan showing that any proposed fill of waters of the United States conforms to the general and special conditions specified in the applicable Nationwide Permit. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time of application of this Chapter.

(e) Ohio Dam Safety Law: Proof of compliance shall be a copy of the ODNR Division of Water Resources permit application tracking number, a copy of the project approval letter from the ODNR Division of Water Resources, or a letter from the site owner certifying and explaining why the Ohio Dam Safety Law is not applicable.

1028.09 - Easements.

Access to SCMs as required by the Director of Public Works for inspections and maintenance shall be secured by easements. The following conditions shall apply to all easements:

(a) Easements shall be included in the Inspection and Maintenance Agreement submitted with the Comprehensive Stormwater Management Plan.

(b) Easements shall be approved by the City prior to approval of a final plat and shall be recorded with the Butler or Warren County Auditor and on all property deeds.

(c) Unless otherwise required by the Director of Public Works, access easements between a public right-of-way and all SCMs shall be no less than 25-feet wide. The easement shall also

incorporate the entire SCM plus an additional 25-foot wide band around the perimeter of the SCM.

(d) The easement shall be graded and/or stabilized as necessary to allow maintenance equipment to access and manipulate around and within each facility, as defined in the Inspection and Maintenance Agreement for the site.

(e) Easements to stormwater control measures shall be restricted against the construction therein of buildings, fences, walls, and other structures that may obstruct the free flow of stormwater and the passage of inspectors and maintenance equipment; and against the changing of final grade from that described by the final grading plan approved by the City. Any re-grading and/or obstruction placed within a maintenance easement may be removed by the City at the property owners' expense.

(f) Conservation Easements: Water resources and stormwater control measures placed in conservation easements shall be made in accordance with Planning and Zoning Code.

1028.10 - Fees.

The comprehensive Stormwater Management Plan, SWP3, and Abbreviated SWP3 review, filing, and inspection fee is part of a complete submittal and is required to be submitted to the City before the review process begins. The Council based upon the actual estimated cost for providing these services in accordance with Chapter 1426 permits and fees. The fee schedule is available online at the City of Monroe website.

1028.11 - Bond.

(a) If a Comprehensive Stormwater Management Plan is required by this Chapter, soil- disturbing activities shall not be permitted until a cash bond of 10% of the total project cost has been deposited with the City of Monroe Finance Department. This bond shall be posted for the City of Monroe to perform the obligations otherwise to be performed by the owner of the development area as stated in this Chapter and to allow all work to be performed as needed in the event that the applicant fails to comply with the provisions of this Chapter. The stormwater bond will be returned, less City of Monroe administrative fees when the following three criteria are met:

    1. The site has been stabilized, temporary stormwater control measures have been removed, and the sediment settling basin has been converted to or replaced with post-construction stormwater control measure(s) and one of the following conditions are met:
        a. 100% of the total project has achieved permanent stabilization.
        b. Less than one (1) acre of lots remain unbuilt.
        c. No development activities have occurred for one (1) year.
    2. An As-Built Certification of all stormwater control measures is approved by the Director of Public Works.
    3. An Inspection and Maintenance Plan has been approved by the City and Inspection and Maintenance Agreement has been signed by the developer, the contractor, the City, and the private owner or homeowners association who will take long term responsibility for these stormwater control measures, is accepted by the Director of Public Works.

(b) If an SWP3 or abbreviated SWP3 is required by this Chapter, soil disturbing activities shall not be permitted until a cash bond or deposit has been deposited with the City Finance Department. For a SWP3, the amount shall be a $1,500 minimum, and an additional $1,500 paid for each subsequent acre or fraction thereof. For an abbreviated SWP3, the amount shall be $1,000. The bond will be used for the City to perform the obligations otherwise to be

performed by the owner of the development area as stated in this Chapter and to allow all work to be performed as needed in the event that the applicant fails to comply with the provisions of this Chapter. The cash bond shall be returned, less City of Monroe administrative fees as detailed in Chapter 1426 of the City of Monroe Codified Ordinances, after all work required by this Chapter has been completed and final stabilization has been reached, all as determined by the Director of Public Works.

(c) A portion of bond will be retained until all areas disturbed by construction activity are permanently stabilized, the final inspection has been completed and approved by the City, and a Notice of Termination has been reviewed and approved by the City and then submitted to Ohio EPA (when applicable). Where vegetative growth is used to achieve permanent stabilization, the area shall comply with final stabilization requirements of the Construction General Permit.

(d) Once these criteria are met, the applicant shall be reimbursed all bond monies that were not used for any part of the project. If all of these criteria are not met after three years of permanent stabilization of the site, the City may use the bond monies to fix any outstanding issues with all stormwater management structures on the site and the remainder of the bond shall be given to the private lot owner/ homeowners association for the purpose of long-term maintenance of the project.

1028.12 - Enforcement.

(a) The City shall not issue building permits for projects regulated under this Chapter without approved Comprehensive Stormwater Management Plans, SWP3, or Abbreviated SWP3.

(b) Occupancy permits will not be granted until corrections to all BMP have been made and accepted by the City authorized agent.

(c) If the City determines that a violation of the rules adopted under this code exist, the City or representative may issue an immediate stop work order if the violator failed to obtain any federal, state, or local permit necessary for sediment and erosion control, earth movement, clearing, or cut and fill activity.

(d) All development areas may be subject to external inspections by the Director of Public Works to ensure compliance with the approved Comprehensive Stormwater Management Plan, SWP3, or Abbreviated SWP3.

(e) After each external inspection, the Director of Public Works shall prepare and distribute a status report to the applicant.

(f) If an external inspection determines that operations are being conducted in violation of the approved Comprehensive Stormwater Management Plan, SWP3, or Abbreviated SWP3, the City engineer may take action as detailed in this Chapter.

(g) Failure to maintain and repair erosion and sediment controls per the approved SWP3 plan may result in the following escalation. The penalty is determined by the total number of notifications on site for each violation occurrence.

1. First Notification: The Director of Public Works shall issue a Notice of Deficiency to the owner or operator. All controls are to be repaired and/or maintained per the SWP3 plan within seven (7) days of the notification. If all controls have not been corrected after this time, the Director of Public Works may issue a Stop Work Order for all activities until corrections have been made.
2. Second and Subsequent Notifications: The Director of Public Works may issue a formal Notice of Violation. All controls are to be repaired or maintained per the approved SWP3 plan within seven (7) days of the Notice of Violation. If controls have not been corrected

after this time, the Director of Public Works may issue a Stop Work Order for all activities until corrections have been made. The Stop Work Order includes an $800 per business day administrative fee against the SWP3 Bond or site plan deposit.

3. Any violations that directly impact the MS4 and/or US Army Corps of Engineers protected blue line streams will be subject to a fine of $1,500 per business day in addition to the items listed above.
4. Any work completed during a Stop Work Order may result in the forfeiture of the SWP3 bond.

(h) Failure to maintain and repair erosion and sediment controls per the approved abbreviated SWP3 plan may result in the following escalation. The penalty is determined by the total number of notifications on site for each violation occurrence.

1. First Notification: The Director of Public Works shall issue a Notice of Deficiency to the owner or operator. All controls are to be repaired and/or maintained per the SWP3 plan within seven (7) days of the notification. If all controls have not been corrected after this time, the Director of Public Works may issue a Stop Work Order for all activities until corrections have been made.
2. Second and Subsequent Notifications: The Director of Public Works may issue a formal Notice of Violation. All controls are to be repaired or maintained per the approved SWP3 plan within seven (7) days of the Notice of Violation. If controls have not been corrected after this time, the Director of Public Works may issue a Stop Work Order for all activities until corrections have been made. The Stop Work Order includes an $200 per business day administrative fee against the SWP3 Bond or site plan deposit.
3. Any violations that directly impact the MS4 and/or US Army Corps of Engineers protected blue line streams will be subject to a fine of $800 per business day in addition to the items listed above.
4. Any work completed during a Stop Work Order may result in the forfeiture of the SWP3 bond.

(i) The Director of Public Works shall have the authority to make immediate on-site adjustments to the SWP3 in order to achieve compliance with this ordinance.

(j) A final inspection will be made to determine if the criteria of this code has been satisfied and a report will be presented to the City and the site operator on the site's compliance status.

(k) The Director of Public Works will monitor soil-disturbing activities for non-farm residential, commercial, industrial, or other non-farm purposes on land of less than one contiguous acre to ensure compliance required by these Rules.

(l) The Director of Public Works shall notify the U.S. Army Corps of Engineers when a violation on a development project covered by an Individual or Nationwide Permit is identified. The Director of Public Works shall notify the Ohio Environmental Protection Agency when a violation on a development project covered by a section 401 Water Quality Certification and/or Isolated Wetland Permit is identified.

(m) The Director of Public Works shall notify the developer of conservation easement violations. Enforcement of violations will be per the requirements dictated in the recorded easement.

1028.13 - Violations.

(a) No person shall violate or cause or knowingly permit to be violated any of the provisions of this Chapter or fail to comply with any of such provisions or with any lawful requirements of any public authority made pursuant to this Chapter, or knowingly use or cause or permit the

use of any lands in violation of this Chapter or in violation of any permit granted under this Chapter.

(b) Upon notice, the Director of Public Works may suspend any active soil disturbing activity for a period not to exceed 90 days and may require immediate erosion and sediment control measures whenever they determine that such activity is not meeting the intent of this Chapter. Such notice shall be in writing, shall be given to the applicant, and shall state the conditions under which work may be resumed. In instances, however, where the Director of Public Works finds that immediate action is necessary for public safety or the public interest, they may require that work be stopped upon verbal order pending issuance of the written notice.

1028.14 - Appeals.

Any person aggrieved by any order, requirement, determination, or any other action or inaction by the City, in relation to this Chapter, may appeal to the City's Board of Zoning Appeals. Written notice of appeal shall be served on the City. A Stop Work Order may be put in effect while the appeal is under review.

(a) Any applicant seeking a variance to the conditions imposed under this Chapter or an appeal to an administrative decision made under this Chapter, other than a decision by the Development Department, may apply to or appeal to the Development Department. The following conditions shall apply:
    1. When filing an application for an appeal to an administrative decision, the applicant shall file a notice of appeal specifying the grounds therefor with the administrative official within 20 days of the administrative official's decision. Upon determining that the application is complete and upon receipt of the required fee of $100, the administrative official shall transmit to the Development Department the application and a transcript constituting the record from which the administrative decision subject to appeal was based. This transmission shall occur no less than fourteen (14) days prior to a regularly scheduled meeting of the Development Department in order to be placed on the agenda for that meeting.
    2. When applying for a variance, the applicant shall file a variance request with the Development Department.
    3. Applications for appeals or variances made under this Chapter shall contain the following information:
        a. The name, address, and telephone number of the applicant.
        b. Proof of ownership or authorization to represent the property owner.
        c. The location of the property, including street address and permanent parcel number.
        d. The current zoning of the property.
        e. A description of the project for which the appeal or variance is sought.
        f. A description of the administrative decision being appealed or the conditions of the Chapter from which a variance is sought.
        g. Names and addresses of each property owner within 500 feet as shown in the current records of the Butler or Warren County Auditor typed on gummed labels.
    4. Applications for variances or appeals of administrative decisions shall not be resubmitted to the Development Department within one (1) year of the date of a final decision by the Development Department on the original application, unless the applicant shows the Development Department either of the following:

a. Newly discovered evidence that could not have been presented with the original submission, or
b. Evidence of a substantial change in circumstances since the time of the original submission.

(b) A decision by the Development Department in response to an application for a variance request or an appeal of an administrative decision filed pursuant to this Chapter shall be final.

(c) Rejected applicants for appeals to Notices of Deficiency and/or Notices of Violation for failure to maintain and repair erosion and sediment controls per the approved SWP3 or abbreviated SWP3 shall be subject to the enforcement actions in this Chapter backdated to the date of initial notification.

1028.15 - Penalty.

(a) Any person, firm, entity, or corporation; including but not limited to, the owner of the property, their agents and assigns, occupant, property manager, and any contractor or subcontractor who violates or fails to comply with any provision of this Chapter is guilty of a misdemeanor of the third degree. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(b) The imposition of any other penalties provided herein shall not preclude the City instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful development, or to restrain, correct, or abate a violation, or to require compliance with the provisions of this Chapter or other applicable laws, ordinances, rules, regulations, or the orders of the City."

SECTION 2: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED:_____

ATTEST: APPROVED:

_____ _____

Clerk of Council Mayor

First Reading:_____

ORDINANCE NO. 2022-05

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2021-52 TO REFLECT THE CORRECT RATES AS SET FORTH IN THE SEPTEMBER 14, 2021 WATER RATE STUDY.

WHEREAS, a Water Rate Study was performed by Baker Tilly Municipal Advisors, LLC; and

WHEREAS, Ordinance No. 2021-52 reflected the cost of services contained in the Water Rate Study; and

WHEREAS, the rates and charges contained in the Water Rate Study should have been reflected in Ordinance No. 2021-52; and

WHEREAS, the correct charges have been utilized since the effective date of Ordinance No. 2021-52.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: Section 1 of Ordinance No. 2021-52 is hereby amended to read as follows:

"1040.10. Rates.

(a) The rates for water furnished by the city within the corporate limits are hereby fixed and charged as set forth below. Usage is based on monthly meter readings.

June 1, 2014

When the usage during a billing cycle reflects 20,000 gallons or less, the rate for the total usage shall be $5.78 per 1,000 gallons, or part thereof.

When the usage during a billing cycle reflects 20,000 gallons or more the rate for the total usage shall be $6.69 per 1,000 gallons, or part thereof.

Effective January 1, 2015 and every January 1 thereafter through 2019, the water rates shall increase by three and two-tenths (3.20) percent.

Effective January 1, 2022 and every January 1 thereafter through 2025, the water rates shall be as follows:

When the usage during a billing cycle reflects 20,000 gallons or less, the rate for the total usage shall be $7.11 per 1,000 gallons, or part thereof, effective January 1, 2022; $7.47 effective January 1, 2023; $7.84 effective January 1, 2024; and $8.23 effective January 1, 2025.

When the usage during a billing cycle reflects 20,000 gallons or more the rate for the total usage shall be $8.23 per 1,000 gallons, or part thereof, effective January 1, 2022; $8.64 effective January 1, 2023; $9.07 effective January 1, 2024; and $9.52 effective January 1, 2025.

(b) The rates charged to consumers located outside the city are hereby established at 165 percent of the rates charged to consumers located in the city, except as outlined in the water

supply agreement with the Board of County Commissioners of Butler County dated February 23, 2004, and amendment subsequent to its adoption.

Effective January 1, 2022 and every January 1 thereafter through 2025, the rates charged outside the City shall be as follows:

When the usage during a billing cycle reflects 20,000 gallons or less, the rate for the total usage shall be $11.74 per 1,000 gallons, or part thereof, effective January 1, 2022; $12.33 effective January 1, 2023; $12.95 effective January 1, 2024; and $13.60 effective January 1, 2025.

When the usage during a billing cycle reflects 20,000 gallons or more the rate for the total usage shall be $13.60 per 1,000 gallons, or part thereof, effective January 1, 2022; $14.28 effective January 1, 2023; $14.99 effective January 1, 2024; and $15.74 effective January 1, 2025.

(c) A fee of $50.00 shall be charged for the inspection of the installation of the service line and the meter set. In the event two services are installed at the same time, domestic use and water only, the inspection fee above will cover the installation of both services.

(d) A fee of $3.00 per month shall be charged for each residential meter to be used for the replacement of meters and reading equipment through December 31, 2021. Thereafter, the fee for each meter shall be:

Effective Date	Meter size (inches)	Meter Replacement Fee
January 1, 2022	5/8 – 3/4	$3.15
January 1, 2023	5/8 – 3/4	$3.30
January 1, 2024	5/8 – 3/4	$3.50
January 1, 2025	5/8 – 3/4	$3.65
January 1, 2022	1	$7.90
January 1, 2023	1	$8.30
January 1, 2024	1	$8.70
January 1, 2025	1	$9.15
January 1, 2022	1 1/2	$15.75
January 1, 2023	1 1/2	$16.55
January 1, 2024	1 1/2	$17.40
January 1, 2025	1 1/2	$18.25
January 1, 2022	2	$25.20
January 1, 2023	2	$26.45
January 1, 2024	2	$27.80
January 1, 2025	2	$29.20
January 1, 2022	3	$47.25
January 1, 2023	3	$49.60
January 1, 2024	3	$52.10
January 1, 2025	3	$54.75
January 1, 2022	4	$78.75
January 1, 2023	4	$82.70
January 1, 2024	4	$86.85
January 1, 2025	4	$91.25

January 1, 2022	6	$157.50
January 1, 2023	6	$165.40
January 1, 2024	6	$173.70
January 1, 2025	6	$182.50
January 1, 2022	8	$252.00
January 1, 2023	8	$264.60
January 1, 2024	8	$277.85
January 1, 2025	8	$292.00
January 1, 2022	10	$362.25
January 1, 2023	10	$380.35
January 1, 2024	10	$399.40
January 1, 2025	10	$419.75

(e) Through December 31, 2021, in addition to the rates set forth in subsection 1040.10(a), there shall be a $5.00 monthly administration fee charged for each single-family residential account. There shall be a monthly administration fee charged for each multi-family residential, commercial and industrial account based on the meter size as follows:

Meter size (inches)	Administration fee
¾	$ 5.00
1	26.25
1½	33.50
2	38.00
3	51.00
4	87.50
6	116.50
8	145.75
10	229.00

Thereafter, the monthly administration fee shall be as follows:

Effective Date	Meter size (inches)	Administration Fee
January 1, 2022	5/8 – 3/4	$5.25
January 1, 2023	5/8 – 3/4	$5.50
January 1, 2024	5/8 – 3/4	$5.80
January 1, 2025	5/8 – 3/4	$6.10
January 1, 2022	1	$27.55
January 1, 2023	1	$28.95
January 1, 2024	1	$30.40
January 1, 2025	1	$31.95
January 1, 2022	1 1/2	$35.20
January 1, 2023	1 1/2	$36.95

January 1, 2024	1 1/2	$38.80
January 1, 2025	1 1/2	$40.75
January 1, 2022	2	$39.90
January 1, 2023	2	$41.90
January 1, 2024	2	$44.00
January 1, 2025	2	$46.20
January 1, 2022	3	$53.55
January 1, 2023	3	$56.25
January 1, 2024	3	$59.05
January 1, 2025	3	$62.00
January 1, 2022	4	$91.90
January 1, 2023	4	$96.50
January 1, 2024	4	$101.35
January 1, 2025	4	$106.45
January 1, 2022	6	$122.35
January 1, 2023	6	$128.50
January 1, 2024	6	$134.95
January 1, 2025	6	$141.70
January 1, 2022	8	$153.05
January 1, 2023	8	$160.70
January 1, 2024	8	$168.75
January 1, 2025	8	$177.20
January 1, 2022	10	$240.45
January 1, 2023	10	$252.45
January 1, 2024	10	$265.10
January 1, 2025	10	$278.35

(f) A monthly fire protection fee shall be charged based on the size of connection effective January 1, 2022. The monthly fire protection fee for private hydrants shall be $389.59 effective January 1, 2022. This fee applies to users with fire protection systems.

Size of Connection	Fire Protection Fee
1 inch	$3.50
2 inch	$21.67
3 inch	$62.93
4 inch	$134.12
6 inch	$389.59
8 inch	$830.24
10 inch	$1,493.03
12 inch	$2,411.64

“

SECTION 2: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED:_____

ATTEST: APPROVED:

_____ _____

Clerk of Council Mayor

First Reading:_____

ORDINANCE NO. 2021-52

AN ORDINANCE ADOPTING THE WATER RATE STUDY DATED SEPTEMBER 14, 2021 AND AMENDING AND SUPPLEMENTING THE WATER RATES AS RECOMMENDED IN THE WATER RATE STUDY.

WHEREAS, a Water Rate Study was performed by Baker Tilly Municipal Advisors, LLC; and

WHEREAS, the Finance Committee of Council recommended that Council adopt the recommendations contained in the Water Rate Study for water rates and charges; and

WHEREAS, Council desires to accept said recommendation and amend and supplement the water rates as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: Section 1040.10 of the Codified Ordinances is hereby amended and supplemented as follows:

"1040.10. Rates.

(a) The rates for water furnished by the city within the corporate limits are hereby fixed and charged as set forth below. Usage is based on monthly meter readings.

June 1, 2014

When the usage during a billing cycle reflects 20,000 gallons or less, the rate for the total usage shall be $5.78 per 1,000 gallons, or part thereof.

When the usage during a billing cycle reflects 20,000 gallons or more the rate for the total usage shall be $6.69 per 1,000 gallons, or part thereof.

Effective January 1, 2015 and every January 1 thereafter through 2019, the water rates shall increase by three and two-tenths (3.20) percent.

Effective January 1, 2022 and every January 1 thereafter through 2025, the water rates shall be as follows:

When the usage during a billing cycle reflects 20,000 gallons or less, the rate for the total usage shall be ~~$7.31~~ 7.11 per 1,000 gallons, or part thereof, effective January 1, 2022; ~~$7.85~~ 7.47 effective January 1, 2023; ~~$8.39~~ 7.84 effective January 1, 2024; and ~~$8.94~~ 8.23 effective January 1, 2025.

When the usage during a billing cycle reflects 20,000 gallons or more the rate for the total usage shall be ~~$8.16~~ 8.23 per 1,000 gallons, or part thereof, effective January 1, 2022; ~~$8.48~~ 8.64 effective January 1, 2023; ~~$8.80~~ 9.07 effective January 1, 2024; and ~~$9.10~~ 9.52 effective January 1, 2025.

(b) The rates charged to consumers located outside the city are hereby established at 165 percent of the rates charged to consumers located in the city, except as outlined in the water supply agreement with the Board of County Commissioners of Butler County dated February 23, 2004, and amendment subsequent to its adoption.

Effective January 1, 2022 and every January 1 thereafter through 2025, the rates charged outside the City shall be as follows:

When the usage during a billing cycle reflects 20,000 gallons or less, the rate for the total usage shall be ~~$12.07~~ 11.74 per 1,000 gallons, or part thereof, effective January 1, 2022; ~~$12.96~~ 12.33 effective January 1, 2023; ~~$13.85~~ 12.95 effective January 1, 2024; and ~~$14.75~~ 13.60 effective January 1, 2025.

When the usage during a billing cycle reflects 20,000 gallons or more the rate for the total usage shall be ~~$13.47~~ 13.60 per 1,000 gallons, or part thereof, effective January 1, 2022; ~~$13.99~~ 14.28 effective January 1, 2023; ~~$14.51~~ 14.99 effective January 1, 2024; and ~~$15.02~~ 15.74 effective January 1, 2025.

(c) A fee of $50.00 shall be charged for the inspection of the installation of the service line and the meter set. In the event two services are installed at the same time, domestic use and water only, the inspection fee above will cover the installation of both services.

(d) A fee of $3.00 per month shall be charged for each residential ~~account~~ meter to be used for the replacement of meters and reading equipment through December 31, 2021. Thereafter, the fee for each ~~account~~ meter shall be:

Effective Date	Meter size (inches)	Meter Replacement Fee
January 1, 2022	5/8 – 3/4	$3.15
January 1, 2023	5/8 – 3/4	$3.30
January 1, 2024	5/8 – 3/4	$3.50
January 1, 2025	5/8 – 3/4	$3.65
January 1, 2022	1	$7.90
January 1, 2023	1	$8.30
January 1, 2024	1	$8.70
January 1, 2025	1	$9.15
January 1, 2022	1 1/2	$15.75
January 1, 2023	1 1/2	$16.55
January 1, 2024	1 1/2	$17.40
January 1, 2025	1 1/2	$18.25
January 1, 2022	2	$25.20
January 1, 2023	2	$26.45
January 1, 2024	2	$27.80
January 1, 2025	2	$29.20
January 1, 2022	3	$47.25
January 1, 2023	3	$49.60
January 1, 2024	3	$52.10
January 1, 2025	3	$54.75
January 1, 2022	4	$78.75
January 1, 2023	4	$82.70
January 1, 2024	4	$86.85
January 1, 2025	4	$91.25
January 1, 2022	6	$157.50
January 1, 2023	6	$165.40
January 1, 2024	6	$173.70

January 1, 2025	6	$182.50
January 1, 2022	8	$252.00
January 1, 2023	8	$264.60
January 1, 2024	8	$277.85
January 1, 2025	8	$292.00
January 1, 2022	10	$362.25
January 1, 2023	10	$380.35
January 1, 2024	10	$399.40
January 1, 2025	10	$419.75

(e) Through December 31, 2021, in addition to the rates set forth in subsection 1040.10(a), there shall be a $5.00 monthly administration fee charged for each single-family residential account. There shall be a monthly administration fee charged for each multi-family residential, commercial and industrial account based on the meter size as follows:

Meter size (inches)	Administration fee
¾	$ 5.00
1	26.25
1½	33.50
2	38.00
3	51.00
4	87.50
6	116.50
8	145.75
10	229.00

Thereafter, the monthly administration fee shall be as follows:

Effective Date	Meter size (inches)	Administration Fee
January 1, 2022	5/8 – 3/4	~~$4.80~~ 5.25
January 1, 2023	5/8 – 3/4	~~$4.60~~ 5.50
January 1, 2024	5/8 – 3/4	~~$4.40~~ 5.80
January 1, 2025	5/8 – 3/4	~~$4.15~~ 6.10
January 1, 2022	1	~~$21.50~~ 27.55
January 1, 2023	1	~~$16.75~~ 28.95
January 1, 2024	1	~~$12.00~~ 30.40
January 1, 2025	1	~~$7.10~~ 31.95
January 1, 2022	1 1/2	~~$28.15~~ 35.20
January 1, 2023	1 1/2	~~$22.80~~ 36.95
January 1, 2024	1 1/2	~~$17.45~~ 38.80
January 1, 2025	1 1/2	~~$11.95~~ 40.75
January 1, 2022	2	~~$32.95~~ 39.90

January 1, 2023	2	~~$27.90~~	41.90
January 1, 2024	2	~~$22.85~~	44.00
January 1, 2025	2	~~$17.70~~	46.20
January 1, 2022	3	~~$46.10~~	53.55
January 1, 2023	3	~~$41.20~~	56.25
January 1, 2024	3	~~$36.30~~	59.05
January 1, 2025	3	~~$31.25~~	62.00
January 1, 2022	4	~~$78.30~~	91.90
January 1, 2023	4	~~$69.10~~	96.50
January 1, 2024	4	~~$59.90~~	101.35
January 1, 2025	4	~~$50.70~~	106.45
January 1, 2022	6	~~$112.20~~	122.35
January 1, 2023	6	~~$107.90~~	128.50
January 1, 2024	6	~~$103.90~~	134.95
January 1, 2025	6	~~$99.20~~	141.70
January 1, 2022	8	~~$148.65~~	153.05
January 1, 2023	8	~~$151.55~~	160.70
January 1, 2024	8	~~$154.45~~	168.75
January 1, 2025	8	~~$157.35~~	177.20
January 1, 2022	10	~~$228.10~~	240.45
January 1, 2023	10	~~$227.20~~	252.45
January 1, 2024	10	~~$226.30~~	265.10
January 1, 2025	10	~~$225.25~~	278.35

(f) A monthly fire protection fee shall be charged based on the size of connection effective January 1, 2022. The monthly fire protection fee for private hydrants shall be $389.59 effective January 1, 2022. This fee applies to users with fire protection systems.

Size of Connection	Fire Protection Fee
1 inch	$3.50
2 inch	$21.67
3 inch	$62.93
4 inch	$134.12
6 inch	$389.59
8 inch	$830.24
10 inch	$1,493.03
12 inch	$2,411.64

"

SECTION 2: Section 1040.14 of the Codified Ordinances is hereby amended and supplemented to read as follows:

"1040.14. Tap-in fees for new residential and nonresidential developments.

(a) Effective April 1, 2012, the water system tap-in fee for each residential dwelling unit located within R-1, R-2, and R-3 zoning districts shall be: $2,567.38.

(b) The water system tap-in fee for residential developments located within R-4 and R-5 zoning districts and for all non-residential developments is based upon the size of the water meter utilized for the facility, as follows:

Effective Date	Meter Size (Inches)	R-4-R-5 Fee Amount	Non-Residential Fee Amount
April 1, 2009	¾	$2,530.00	$3,300.00
April 1, 2010	¾	$2,605.90	$3,399.00
April 1, 2011	¾	$2,684.10	$3,500.97
April 1, 2012	¾	$2,952.48	$3,851.07
January 1, 2022	5/8 or 3/4	$2,952.48	$3,851.07
April 1, 2009	1	$3,080.00	$3,850.00
April 1, 2010	1	$3,172.40	$3,965.50
April 1, 2011	1	$3,267.57	$4,084.47
April 1, 2012	1	$3,594.33	$4,492.91
April 1, 2009	1½	$3,850.00	$5,500.00
April 1, 2010	1½	$3,965.50	$5,665.00
April 1, 2011	1½	$4,084.47	$5,834.95
April 1, 2012	1½	$4,492.91	$6,418.45
April 1, 2009	2	$6,600.00	$11,000.00
April 1, 2010	2	$6,798.00	$11,330.00
April 1, 2011	2	$7,001.94	$11,669.90
April 1, 2012	2	$7,702.13	$12,836.89
April 1, 2009	3	$14,300.00	$28,600.00
April 1, 2010	3	$14,729.00	$29,458.00
April 1, 2011	3	$15,170.87	$30,341.74
April 1, 2012	3	$16,687.96	$33,375.91
April 1, 2009	4	$22,000.00	$44,000.00
April 1, 2010	4	$22,660.00	$45,320.00
April 1, 2011	4	$23,339.80	$46,679.60
April 1, 2012	4	$25,673.78	$51,347.56
April 1, 2009	6	N/A	$110,000.00
April 1, 2010	6	N/A	$113,300.00
April 1, 2011	6	N/A	$116,699.00
April 1, 2012	6	N/A	$128,368.90
April 1, 2009	8	N/A	$165,000.00
April 1, 2010	8	N/A	$169,950.00
April 1, 2011	8	N/A	$175,048.50
April 1, 2012	8	N/A	$192,553.35

"

bakertilly
MUNICIPAL ADVISORS

July 25, 2021

Baker Tilly Municipal Advisors, LLC
8365 Keystone Crossing, Ste 300
Indianapolis, IN 46240
United States of America

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F: +1 (317) 465 1550
bakertilly.com

Ms. Karen R. Ervin
Mr. Gary Morton
City of Monroe
233 S. Main Street
Monroe, OH 45050

Dear Ms. Ervin and Mr. Morton:

The attached schedules (listed below) present unaudited and limited information for the purpose of discussion and consideration in the preliminary planning stage of a water rate analysis by the appropriate officers, officials and advisors of the City of Monroe Municipal Water Utility. The use of these schedules should be restricted to this purpose, for internal use only, as the information is subject to future revision and final report.

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We would appreciate your questions or comments on this information and would provide additional information upon request.

Very truly yours,

BAKER TILLY MUNICIPAL ADVISORS, LLC

Douglas L. Baldessari, Partner

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CITY OF MONROE (OHIO) MUNICIPAL WATER UTILITY

Across-The-Board

SCHEDULE OF PRESENT AND PROPOSED RATES AND CHARGES

	Present (1)	Proposed Phase I (2022)	Phase II (2023)	Phase III (2024)	Phase IV (2025)
(A) Metered Rates (per 1,000 gallons):					
Inside City					
Less than 20,000 gallons	$6.77	$7.11	$7.47	$7.84	$8.23
More than 20,000 gallons	7.84	8.23	8.64	9.07	9.52
Outside City					
Less than 20,000 gallons	$11.18	$11.74	$12.33	$12.95	$13.60
More than 20,000 gallons	12.95	13.60	14.28	14.99	15.74
(B) Monthly Administration Charge:					
Inside and Outside City					
5/8 - 3/4 inch	$5.00	$5.25	$5.50	$5.80	$6.10
1 inch	26.25	27.55	28.95	30.40	31.95
1 1/2 inch	33.50	35.20	36.95	38.80	40.75
2 inch	38.00	39.90	41.90	44.00	46.20
3 inch	51.00	53.55	56.25	59.05	62.00
4 inch	87.50	91.90	96.50	101.35	106.45
6 inch	116.50	122.35	128.50	134.95	141.70
8 inch	145.75	153.05	160.70	168.75	177.20
10 inch	229.00	240.45	252.45	265.10	278.35
(C) Meter Replacement Fee					
Inside and Outside City					
5/8 - 3/4 inch	$3.00	$3.15	$3.30	$3.50	$3.65
1 inch		7.90	8.30	8.70	9.15
1 1/2 inch		15.75	16.55	17.40	18.25
2 inch		25.20	26.45	27.80	29.20
3 inch		47.25	49.60	52.10	54.75
4 inch		78.75	82.70	86.85	91.25
6 inch		157.50	165.40	173.70	182.50
8 inch		252.00	264.60	277.85	292.00
10 inch		362.25	380.35	399.40	419.75
(D) UGN special rate per 1,000 gallons per month:					
All Flow	$5.09	$5.34	$5.61	$5.89	$6.17
(E) System Development Charge					
Residential	$1,637.00	$1,637.00	$1,637.00	$1,637.00	$1,637.00
Non-Residential					
5/8 - 3/4 inch	$3,851.07	$3,851.07	$3,851.07	$3,851.07	$3,851.07
1 inch	4,492.91	4,492.91	4,492.91	4,492.91	4,492.91
1 1/2 inch	6,418.45	6,418.45	6,418.45	6,418.45	6,418.45
2 inch	12,836.89	12,836.89	12,836.89	12,836.89	12,836.89
3 inch	33,375.91	33,375.91	33,375.91	33,375.91	33,375.91
4 inch	51,347.56	51,347.56	51,347.56	51,347.56	51,347.56
6 inch	128,368.90	128,368.90	128,368.90	128,368.90	128,368.90
8 inch	192,553.35	192,553.35	192,553.35	192,553.35	192,553.35

(1) Present rates and charges effective January 1, 2019, pursuant to Ordinance No. 2014-13 passed May 13, 2014.

(Subject to the attached letter dated July 25, 2021)
(Preliminary - Subject to Change)
(Internal Use Only)

CITY OF MONROE (OHIO) MUNICIPAL WATER UTILITY

SCHEDULE OF PRESENT AND PROPOSED RATES AND CHARGES

			Proposed			
(A) Usage per 1,000 gallons per month:	Current (1)	Phase I	Phase II	Phase III	Phase IV
Inside City					
Under	20,000 Gallons	$6.77	$7.31	$7.85	$8.39	$8.94
Over	20,000 Gallons	7.84	8.16	8.48	8.80	9.10
Outside City					
Under	20,000 Gallons	$11.18	$12.07	$12.96	$13.85	$14.75
Over	20,000 Gallons	12.95	13.47	13.99	14.51	15.02
(B) Monthly Administration Charge:					
Inside and Outside City					
5/8 - 3/4 inch		$5.00	$4.80	$4.60	$4.40	$4.15
1 inch		26.25	21.50	16.75	12.00	7.10
1 1/2 inch		33.50	28.15	22.80	17.45	11.95
2 inch		38.00	32.95	27.90	22.85	17.70
3 inch		51.00	46.10	41.20	36.30	31.25
4 inch		87.50	78.30	69.10	59.90	50.70
6 inch		116.50	112.20	107.90	103.60	99.20
8 inch		145.75	148.65	151.55	154.45	157.35
10 inch		229.00	228.10	227.20	226.30	225.25
(C) Meter Replacement Fee:					
Inside and Outside City (2)					
5/8 - 3/4 inch		$3.00	$3.15	$3.30	$3.50	$3.65
1 inch			7.90	8.30	8.70	9.15
1 1/2 inch			15.75	16.55	17.40	18.25
2 inch			25.20	26.45	27.80	29.20
3 inch			47.25	49.60	52.10	54.75
4 inch			78.75	82.70	86.85	91.25
6 inch			157.50	165.40	173.70	182.50
8 inch			252.00	264.60	277.85	292.00
10 inch			362.25	380.35	399.40	419.75
(D) UGN special rate per 1,000 gallons per month:					
All flow (2)		$5.09	$5.34	$5.61	$5.89	$6.17
(E) System Development Charge					
Residential		$1,637.00	$1,637.00	$1,637.00	$1,637.00	$1,637.00
Non-Residential					
5/8 - 3/4	inch	3,851.07	3,851.07	3,851.07	3,851.07	3,851.07
1	inch	4,492.91	4,492.91	4,492.91	4,492.91	4,492.91
1 1/2	inch	6,418.45	6,418.45	6,418.45	6,418.45	6,418.45
2	inch	12,836.89	12,836.89	12,836.89	12,836.89	12,836.89
3	inch	33,375.91	33,375.91	33,375.91	33,375.91	33,375.91
4	inch	51,347.56	51,347.56	51,347.56	51,347.56	51,347.56
6	inch	128,368.90	128,368.90	128,368.90	128,368.90	128,368.90
8	inch	192,553.35	192,553.35	192,553.35	192,553.35	192,553.35

(1) Present rates and charges effective January 1, 2019, pursuant to Ordinance No. 2014-13 passed May 13, 2014.
(2) Assumes the across-the-board increases as calculated on page 12.

(Subject to the attached letter dated July 25, 2021)
(Preliminary - Subject to Change)
(Internal Use Only)

EMERGENCY RESOLUTION NO. 18-2022

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BY AND BETWEEN THE CITY OF MONROE AND LOCAL GOV CONSULTANTS, LLC FOR FINANCIAL ADMINISTRATIVE SERVICES AND DECLARING AN EMERGENCY.

WHEREAS, the search for a Finance Director has not been successful thus far; and

WHEREAS, Council deems it in the best interest to hire a consultant to assist with the duties of the Finance Director, as well as the search and onboarding of a Finance Director.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: The City Manager is hereby authorized to enter into an agreement by and between the City of Monroe and Local Gov Consultants, LLC for financial administrative services pursuant to the terms and conditions set forth on Exhibit "A" attached hereto and made a part hereof.

SECTION 2: This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and further for the reason that Council deems it necessary to obtain the services of the consultant at the earliest possible date to avoid any interruption in the operation of the Department of Finance. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED:_____

ATTEST: APPROVED:

_____ _____

Clerk of Council Mayor

Exhibit “A” E Res No. 18-2022

AGREEMENT

THIS AGREEMENT, made this day of April 2022 (the "Effective Date"), by and between the **CITY OF MONROE,** located at 233 S. Main Street, Monroe, OH 45050 hereinafter referred to as **"City",** and **LOCAL GOV CONSULTANTS, LLC,** located at 2391 Forest Oaks Drive, Beavercreek, Ohio 45431, hereinafter referred to as **"Consultant".**

WITNESSETH

WHEREAS, the City has legal authority to secure professional services as may be necessary in the execution of financial administrative consulting agreement; and

WHEREAS, the Consultant is experienced in providing professional services related to municipal financial services, and is available to render services and assistance of this nature to City; and

WHEREAS, the City desires to engage such professional services of the Consultant.

NOW, THEREFORE, in consideration of the mutual promises hereinafter contained, it is **AGREED** as follows:

1. Consultant shall furnish financial administrative services as described in the services proposal, attached hereto and incorporated herein by reference (the “Services”).

2. Consultant agrees begin providing Services according to a schedule determined by the City Manager and Assistant City Manager and to perform its work in a diligent manner within the time limits detailed in the services proposal.

3. The City shall compensate Consultant for Services rendered at an amount not to exceed $100.00 per hour according to the deliverables in the services proposal. In the event the City substantially changes the scope of Services set forth in the services proposal, the parties shall negotiate and agree in writing on a new hourly fee for the Services, commensurate with the change in scope.

4. The Consultant shall submit invoices at the end of each month to the City covering charges for Services performed during that month, as herein set forth. Approved invoices shall be promptly paid within 30 days of receipt of the invoice. The City reserves the right to dispute the Consultant’s entitlement to any invoiced amount and withhold such disputed payment pending resolution of the dispute. The City’s exercise of its right to dispute and withhold invoiced amounts shall not be considered a breach of this Agreement.

5. Consultant shall maintain through the full period of this Agreement applicable liability insurance policy(ies) with a combined single limit of a minimum of $1,000,000 for each occurrence. If requested, the Consultant shall provide the City Certificates of Insurance evidencing such policies.

6. The deliverable products shall include those items as listed in "Local Gov Consultants, LLC Deliverables" in the services proposal.

7. If, through any cause, the Consultant shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the Consultant shall violate any of the covenants or agreements of Agreement, the City shall have the right to terminate this Agreement by giving written notice to the Consultant specifying the effective date of the termination, at least 30 days before such effective date. In such event, all finished or unfinished documents, data, studies, reports and/or information prepared by the Consultant under this Agreement shall become the City's property and the Consultant shall be entitled to receive equitable compensation for any work satisfactorily completed at the date of termination.

8. Either party may terminate this Agreement at any time for convenience by a notice in writing, at least 30 days before such effective date, directed to the other party in accordance with Section 12 herein. If the Consultant terminates this Agreement after the work has begun, City shall not be required to compensate the Consultant for Services/work not fully completed.

9. Consultant agrees to not share any proprietary and/or confidential information or documentation that it gathers or generates as a result of the Agreement without the prior written approval of City.

10. This Agreement and the attachments hereto contain the entire agreement between the parties as to the matters contained herein. Any oral representations or modifications concerning this Agreement shall be of no force and effect. This Agreement may only be modified through a written amendment executed by both parties hereto.

11. Any provision in the Agreement which is held to be illegal or unenforceable shall be ineffective to the extent of such illegality or unenforceability without invalidating the remaining provisions and any such illegal or unenforceable provision shall be deemed to be restated to reflect as nearly as possible the original intentions of the parties in accordance with applicable law.

12. All notices, requests, consents, approvals, demands and other communications required or permitted to be given or made under this Agreement shall be in writing and shall be deemed to have been duly given if (a) delivered personally or (b) deposited in the United States mail, addressed as follows, or at such other address as may be provided in writing by the parties:

If to Consultant:
Pete Bales, President and CEO
Local Gov Consultants, LLC.
2391 Forest Oaks Drive
Beavercreek, OH 45431
Phone: 937-545-5565
Email: pbales@localgovconsultants.com

If to City:
William Brock, City Manager
233 S. Main Street
Monroe, OH 45050
Phone: 513-539-7374
Email: brockb@monroeohio.org

13. It is agreed that Consultant shall be an independent contractor of the City at all times while rendering services, pursuant to the provisions of this Agreement.

14. This Agreement may be amended or supplemented at any time by full consent in writing of the parties hereto.

15. This Agreement shall be in effect until the earlier of: (i) completion of the Services in accordance with the terms and conditions of this Agreement; or (ii) cancellation by either or both parties according to the terms above.

16. There shall be no discrimination for any employer, because of the race, color, religion, sex, military status, national origin, disability, age, or ancestry of any person, to discharge without just cause, to refuse to hire, or otherwise to discriminate against that person with respect to hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment. Consultant shall insert a similar provision in all subcontracts for services covered by this Agreement.

17. The Consultant shall indemnify, hold harmless and, at the City's request, defend the City and the City's employees, agents and representatives from and against any and all claims, suits, demands, liabilities, losses, damages, costs and expenses arising out of or resulting from claims for injury to or death of persons, and damage to real and personal property, to the extent arising out of or in any way related to: (i) any actual or alleged negligent acts, errors or omissions of the Consultant or its agents, employees, contractors (at any tier) or sub-contractors in the performance of the Services under this Agreement; (ii) the willful misconduct of the Consultant or its agents, employees, contractors (at any tier) or sub-contractors; or (iii) any breach of this Agreement by the Consultant. The City's entitlement under the foregoing indemnification may be deducted from the Consultant's compensation then due or thereafter to become due, in addition to any other remedies the City may have under this Agreement, or at law or in equity.

IN WITNESS WHEREOF, the City Manager of the **CITY OF MONROE** and **LOCAL GOV CONSULTANTS, LLC** have respectively executed this Agreement on the day and date first above written, in duplicate.

LOCAL GOV CONSULTANTS, LLC

By:

Pete Bales
President and CEO

CITY

By: _____

William Brock
City Manager

LOCAL GOV CONSULTANTS, LLC.
PROPOSAL FOR SERVICES

Interim Financial Administrative Services
For the City of Monroe

OVERVIEW

Local Gov Consultants, LLC. is pleased to submit this proposal for professional services to support the City of Monroe with interim financial administrative services until a full-time Finance Director can be hired and on-boarded.

Local Gov Consultants is a consortium of professionals with vast experience, empathy, and a passion for public service. Our mission is to help local governments and nongovernmental organizations succeed where they've become tangled up in time and obstacles.

We know the key to completing the projects and filling unmet needs within your organization can sometimes be based on both knowing regulatory requirements and how to navigate them quickly, and with a fresh, outside perspective. Sometimes the solution is with qualified and dedicated leadership. We provide both!

Or corporate motto is simple:

> **It's not about competition, it's about collaboration.**
>
> **It's not about politics, it's about public service.**
>
> **It's about listening to your community, really hearing your people, and getting things done.**

Local governments are restricted by rules and red tape–necessarily. However, Local Gov Consultants is experienced enough to navigate through the projects you can't, or don't have time for, so that you can deliver the best results to the organization that depends on you.

Pete Bales, President and CEO of Local Gov Consultants, LLC., was a Credentialed Manager through the International City Manager's Association during his career in local government. He has over 26 years of local government experience primarily in municipal operations and management including project management, parks and recreation, public works, planning, human resources and public engagement. Mr. Bales' past experiences along with his team of professional government leaders have created a strategy for the City of Monroe which will guide and assist you in creating a smooth transition while searching for your next Finance Director.

PROPOSAL

Local Gov Consultants employs amazing talent in all areas of government administration. Randy Groves is no exception! He is an amazing tenured leader in the area of local government finance. He will serve as the Interim Director of Finance and will report to the City Manager and/or the Assistant City Manager and collaboratively work with Kacey Waggaman throughout this temporary assignment. Randy is available to work on-site approximately 16 hours per week and be available for questions and special assignments remotely as needed. An appropriate schedule will be determined between Mr. Groves and Ms. Waggaman.

Randy Groves bio is as follows:

Randy has 41 years of experience in governmental accounting and financial reporting. Most recently, Randy served as the Finance Director for the City of Fairborn. He is currently serving as a consultant to Fairborn on a part-time basis. His commitment to Fairborn will end on June 1, 2022 and his current workload will not impact his ability to concurrently serve Monroe.

- Certified Public Finance Officer (CPFO)
- Certified Government Financial Manager (CGFM)
- Member, Government Finance Officers Association of the United States and Canada
- Member, Ohio Government Finance Officers Association
- 12 years with Ohio Auditor of State as assistant auditor performing and supervising audits over various local governments, including federal OMB Circular A-133 single audits of large county governments with responsibilities for performing financial and compliance audits of the agency's major federal programs.
- 16 years with Butler County Auditor's office with various financial management responsibilities including managing the accounting and financial reporting for all funds of the county, supervising the preparation of the county's comprehensive annual financial report (CAFR), drafting the management's discussion and analysis (MD&A).
- 13 years as Finance Director for the City of Fairborn which includes responsibilities for the accounting and financial reporting of all city funds, coordinating the annual audit and preparation of the city's CAFR. The City of Fairborn Finance Department has oversight of an $18M General Fund budget, $75M Capital budget, Income Tax Division, Utility Billing Division, Accounts Payable, Accounts Receivable, and Payroll.

Deliverables of Consultant

Following is a complete list of all project deliverables:

Deliverable	Description
Deliverable #1	Randy Groves will serve as Interim Finance Director and dedicate approximately sixteen hours per week working in that capacity. The number of hours per week may be altered with the mutual consent of the consultant and the city management. To ensure continuity and provide leadership to staff, Randy Groves will establish routine “office hours” to be determined between he and the city management. Some deliverables may be accomplished while working off-site.
Deliverable #2	Be available by phone outside of established office hours to answer questions and provide guidance.
Deliverable #3	Provide structure, leadership, and supervision to the Finance team.
Deliverable #4	Provide financial compliance expertise and guidance to the finance staff.
Deliverable #5	Assist Monroe through the annual audit.
Deliverable #6	Assist Monroe through the annual tax budget.
Deliverable #7	Perform a review of the Five-Year financial forecast including an analysis of income tax revenue.
Deliverable #8	Perform special financial projects as assigned by city management.
Deliverable #9	If desired, Randy Groves will assist the city management with the review of applicants for the Finance Director position and provide honest and candid feedback during the interview process.
Deliverable #10	Randy Groves will dedicate a minimum of thirty-two hours of time with incoming Finance Director to create a smooth transition.

Expectations of the City of Monroe

Expectation	Description
Expectation #1	Consultant will be provided a dedicated workspace within the Finance Department including a computer with access to software and information necessary for the position.
Expectation #2	City of Monroe will provide the Consultant with access to necessary software in order to provide services while working remotely.

Timeline for Execution

Local Gov Consultants, LLC can begin this project on April 18, 2022 and will continue in the Interim role until the next Finance Director is hired and on-boarded.

PROFESSIONAL SERVICES FEE

The fee for consulting services will be billed monthly at a rate of $100 per hour.

Thank you for your consideration,

Pete Bales, CPRP
President and CEO
Local Gov Consultants, LLC.
2391 Forest Oaks Drive
Beavercreek, OH 45431

www.localgovconsultants.com
pbales@localgovconsultants.com
937-545-5565

RESOLUTION NO. 19-2022

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF MONROE, LIBERTY TOWNSHIP, AND WEST CHESTER TOWNSHIP FOR USE OF A TRAFFIC INCIDENT MANAGEMENT SAFETY UNIT.

WHEREAS, the use of a Traffic Incident Management Safety Unit will assist first responders in blocking traffic on high-speed roadways.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: The City Manager is hereby authorized to enter into a Memorandum of Understanding by and between the City of Monroe, Liberty Township, and West Chester Township for the use of a Traffic Incident Management Safety Unit. The terms and conditions of the Memorandum of Understanding are marked Exhibit "A" attached hereto and made a part hereof.

SECTION 2: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

ATTEST: APPROVED:

_____ _____

Clerk of Council Mayor

First Reading:_____

Exhibit "A" Res No. 18-2022

MEMORANDUM OF UNDERSTANDING
BETWEEN West Chester Fire Department,
Liberty Township Fire Department and Monroe Fire Department

1. Parties. This Memorandum of Understanding (hereinafter referred to as "MOU") is made and entered into by and between the West Chester Fire Department, whose address is 9119 Cincinnati Dayton Road West Chester, Ohio 45069, and the Liberty Township Fire Department, whose address is 6682 Princeton Glendale Road Liberty Township, Ohio 45011, and Monroe Fire Department whose address is 6262 Hamilton Middletown Road Middletown, Ohio 45044.

2. Purpose. The purpose of this MOU is to establish the terms and conditions under which the Traffic Incident Management Safety Unit (TIMSU) will respond and function, and will include the parties' responsibility to house, staff and maintain the vehicle and equipment.

3. Term of MOU. This MOU is effective after all parties have signed and a start date to launch the program is agreed upon and shall remain in full force and effect for not longer than Three (3) Years, at which point the parties will review and modify as needed. This MOU may be terminated, without cause, by any party upon sixty (60) days written notice, which notice shall be delivered by hand, e-mail with read receipt or by certified mail to the addresses listed above.

4. Responsibilities of West Chester Fire Department. Agrees to purchase necessary emergency lighting and reflective striping, purchase traffic control and safety equipment to make the TIMSU operational. Additionally the WCFD agrees to provide regular and routine preventative maintenance for the TIMSU.

5. Responsibilities of Liberty Township Fire Department. Agrees to provide the vehicle (1999 Sutphen Rescue Pumper), Housing, fuel and staffing for the TIMSU. Additionally, the LTFD is responsible for drive train repairs. LTFD agrees to provide insurance for the vehicle and provide training to satisfy insurance requirements if non-LTFD personnel will operate the vehicle.

6. **Responsibilities of the Monroe Fire Department**
Agrees to split the cost of updating necessary emergency lighting and reflective striping, and split the cost of purchasing traffic control and safety equipment. Agrees to pay for routine basic maintenance cost at every other service intervals.

7**. General Provisions**

A**.** General maintenance and or replacement cost of worn traffic control and safety equipment will be split between the parties.

B. Significant repairs needed to the vehicle $30,000.00 or greater will potentially place the vehicle out of service unless the parties agree to fund the repair or a grant can be obtained,

otherwise the MOU will be void. Once voided the equipment will be equally distributed between all parties.

C. Damaged traffic control and safety equipment shall be billed to the responsible person causing the motor vehicle accident.

D. All policies and procedures regarding the dispatch and operation of the TIMSU shall be jointly developed and agreed upon.

E. Startup cost to upgrade lighting, striping and equipment shall not exceed $35,000.00 and will be split equally between West Chester, Liberty and Monroe.

F. The Liberty Township Fire Department will provide a TIMSU response to partnering jurisdictions on a first come first served basis so long as staffing allows. The Liberty Township Fire Department shall in no circumstances be required to provide additional staffing to ensure the TIMSU is continuously in service nor will Liberty Township Fire Department be required to respond with the TIMSU if Liberty Township operations will be negatively impacted. The Liberty Township Fire Department will notify partnering jurisdictions as soon as reasonably possible when the TIMSU is out of service.

8. Amendments**.** Any party may request changes to this MOU. Any changes, modifications, revisions or amendments to this MOU which are mutually agreed upon by and between the parties to this MOU shall be incorporated by written instrument, and effective when executed and signed by all parties to this MOU.

9**.** Signatures. In witness whereof, the parties to this MOU through their duly authorized representatives have executed this MOU on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU as set forth herein.

The effective date of this MOU is the date of the mutually agreed start date and time of the program.