



**Monroe Council Agenda
Regular Meeting
July 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 July 7, 2022 and Council Minutes of July 12, 2022.

Visitors

- Swearing in of Joshua Spradling as Fire Lieutenant

Committee Reports

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

Old Business

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

Ordinance No. 2022-21. An Ordinance establishing Part Eighteen, Title Two, Chapter 1801 of the Codified Ordinances of the City of Monroe to establish a Historic Preservation Commission. (Second Reading)

New Business

Consideration of Motion approving the appointment of Jacob Burton as Director of Finance.

Administrative Reports

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

Adjournment



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Ordinance No. 2022-21. An Ordinance establishing Part Eighteen, Title Two, Chapter 1801 of the Codified Ordinances of the City of Monroe to establish a Historic Preservation Commission. (Second Reading)

Background. Please refer to the redline version in the packet with the recommended amendments.

Following the discussion during the first reading of the ordinance that took place last meeting, we would like to clarify what the proposed legislation will accomplish. If approved, the proposed legislation creates a Historic Preservation Commission, its powers and duties, and outlines a process for how to preserve historic structures. The Historic Preservation Commission will serve as an advisory commission to the City Council, similar to the role of the Planning Commission, and other City boards regarding historic preservation matters. This legislation is required by the State as part of the application process.



The proposed legislation does not create a historic district, nor does it establish design guidelines for historic structures as described in section 1801.06(c) and 1801.07(B)(5) of the proposed legislation. Thus, if adopted, no improvements or alterations within the City will be required to undergo additional review. Section 1801.07(B)(6) and (7) also state that Council can rescind historic preservation designations, including structures and/or a historic district.

Once created, the Historic Preservation Commission will be tasked with development of those items listed and once developed, will make those recommendations to Council for approval.

New Business

Consideration of Motion approving the appointment of Jacob Burton as Director of Finance.

Background. Mr. Burton's resume is in the packet. If Council approves the appointment, his anticipated start date is August 8, 2022.

Administrative Reports

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

Adjournment



**Public Safety Committee of Council
July 7, 2022 – 5:30 p.m.
233 South Main Street, Monroe, Ohio**

The Public Safety Committee of Council met at 5:30 p.m. on July 7, 2022 in the Council Library located at 233 South Main Street, Monroe, Ohio.

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

Chief Buchanan explained the Community Outreach Initiatives his department has developed over the last several years such as, the Citizens Police Academy, Safety Town, and Monroe Night Out. His department is trying to bring the programs back to pre-pandemic levels; however, it is difficult with the staffing levels. In addition, Butler Tech has requested a full-time School Resource Officer that also impacts the staffing levels.

Chief Buchanan advised a staffing study in 2017 recommended an increase to 36 sworn officers from 30. There has also been a restructuring of the command staff, the addition of a detective, and an officer as part of the Warren County Drug Task Force.

Chief Buchanan stated he wanted to open up the conversation about the community programs to make sure that is the direction that Council would like to continue. That ties into the assignments of School Resource Officers as they are utilized in the Safety Town Program.

Chief Buchanan advised he is meeting with the Monroe Local School District and Butler Tech next week about the School Resource Officers.

Mr. Bellapianta asked if the School Resource Officers are already qualified or filled with entry level officers. Chief Buchanan advised that they are already qualified and come from existing ranks. Mr. Bellapianta asked what the existing split is with Butler Tech for a School Resource Officer and Chief Buchanan advised it divided 50/50.

Mr. Brock pointed out that the detective is an assignment of a sworn officer and not a separate position on the salary range. In addition, the 36 sworn officers include the Chief, two Captains, and three Lieutenants.

Chief Buchanan will be preparing for another staff study. He would like to make sure that his department is moving in the direction that Council would like to see, such as with the community outreach initiatives.

The Public Safety Committee meeting adjourned at 5:58 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council



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

Pledge of Allegiance

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

Roll Call

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

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

Approval of the Minutes

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

Visitors

None.

Committee Reports

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

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

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



Old Business

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

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

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

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

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

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

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

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

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

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

New Business

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



Mr. Frentzel moved to suspend the rule requiring the reading of Emergency Ordinance No. 2022-19 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Wagner. Voice vote. Motion carried.

The Clerk of Council read Emergency Ordinance No. 2022-19 by title only.

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

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

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

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

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

Administrative Reports

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

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

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

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

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



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

Adjournment

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

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

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

ORDINANCE NO. 2022-~~17~~21

AN ORDINANCE ESTABLISHING PART EIGHTEEN, ~~TITLE TWO~~, CHAPTER 1801 OF THE CODIFIED ORDINANCES OF THE CITY OF MONROE TO ESTABLISH A HISTORIC PRESERVATION COMMISSION.

WHEREAS, the State of Ohio facilitates the establishment of local preservation legislation by way of Home Rule Authority; and

WHEREAS, the City of Monroe (the “City”) is cognizant of the benefits of historic preservation towards the protection of property values, the enhancement of economic development, and fostering civic pride; and

WHEREAS, the City desires to preserve its heritage and history by assuring that regulations are established which will allow for the creation of a commission and process for review of construction, alterations, additions or demolitions within designated historic boundaries for compliance with adopted legislation; and

WHEREAS, the Ohio Historic Connection provides a Certified Local Government program to promote statewide historic preservation initiatives; and

WHEREAS, in their meeting held on June 14, 2022, the City Council directed the City Manager to make application to the Ohio Historic Connection for membership as a Certified Local Government community; and

WHEREAS, Certified Local Government communities are required to have a qualified commission of at least five members who designate historic properties and review proposed changes to the historic environment; and

WHEREAS, the City of Monroe desires to become a Certified Local Government.

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

SECTION 1: ~~Title Six~~Part Eighteen of the Codified Ordinances shall be titled ~~is hereby amended so the title reads~~ “Historic Preservation Commission.”

SECTION 2: ~~Title Six~~Part Eighteen, Chapter 1801, of the Codified Ordinances is hereby supplemented to read as follows:

“CHAPTER 1801 – HISTORIC PRESERVATION COMMISSION

1801.01 Purpose.

This Chapter is adopted to secure and provide the establishment and creation of a Historic Preservation Commission for the City of Monroe. The provisions of this Chapter shall apply to the

entire incorporated land areas of the City of Monroe of Butler and Warren Counties, in the State of Ohio:

- (A) To safeguard the heritage of the City by preserving sites and structures which reflect elements of the City's cultural, social, economic, political, archaeological history or architectural history;
- (B) To stabilize and improve property values;
- (C) To protect and enhance the City's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry;
- (D) To enhance the visual and aesthetic character, diversity, and interest of the City;
- (E) To foster civic pride in the beauty and notable accomplishments of the past;
- (F) To promote the use and preservation of historic and archaeological sites and structures for the education and general welfare of the people of the City;
- (G) To strengthen the economy of the City;
- (H) To take whatever steps as may be necessary to safeguard the property rights of the owner(s) whose property is declared to be a historic structure, or is located in the area designated as a Monroe Historic District, and act in an advisory role to City officials and departments of Monroe's governmental system;
- (I) Review all certificates of appropriateness application as defined by the Secretary of the Interior's Standards for Rehabilitation.

1801.02 Title.

This Commission shall be known and may be cited as the "City of Monroe Historic Preservation Commission" or referred to as the "Historic Preservation Commission" or the Commission".

1801.03 Definitions.

The following definitions shall apply only to the provisions of this Chapter:

"Addition" means any act or process that changes one or more of the exterior architectural features of a building or structure by adding to, joining with, or increasing the size or capacity of the building or structure.

"Alter or Alteration" means any material change in external architectural features of any property, including but not limited to the creation, construction, reconstruction, or removal of the building or structure which lies within a City of Monroe corporate boundaries or has been listed under the provisions of this section, but not including demolition or removal.

"Building" means, for purposes of this policy, any historic structure created for the support, shelter or enclosure of persons, animals, or property of any kind having a roof supported by columns or walls, and which is permanently affixed to the land within the corporate boundaries of the City of Monroe.

"Certificate of Appropriateness" means a certificate issued by the Historic Preservation Commission indicating that a proposed change, alteration or demolition of a historic building or structure or within a historic site or district, is in accordance with the provisions of this Chapter and local design guidelines.

“Change” means any alteration, demolition, removal, or construction involving any property subject to the provisions of this chapter.

“Code Official” means any official duly appointed by the City Manager who is charged with the administration and enforcement of this Chapter.

“Construction” means the act of constructing an addition to an existing structure or the erection of a new principal or accessory structure on a lot, property, or tract of land.

“Demolish or Demolition” means the razing or removal, in whole or in part, of any structure.

“Exterior Architectural Feature” means the architectural treatment in general arrangement of such scale and portion of the exterior of a structure as is designated to be exposed to public view, including the kind and texture of the building materials, and the type of all windows, window lites, doors, structure massing, lights, signs, and any other fixtures appurtenant to such portion.

“Historic District” means any area designated by ordinance of City Council which may contain within definable geographic boundaries, buildings, structures, or sites of historic, architectural or archaeological significance.

“Historic Preservation Commission” means the commission established under the provisions of this Chapter.

“Historic Site” means a premises that contains something of archaeological or historical significance, which may or may not include a historic structure or be wholly within a Historic District. A historic site may comprise the property owned by more than one person and include planned landscape features.

“Historic Structure” means any building or structure which has historic, architectural or archaeological significance and has been so designated according to the provisions of this chapter. The significance of a property to the history, architecture, archaeology, engineering, or culture of a community, state, or the nation. It may be achieved in several ways:

- (1) Association with broad pattern of history, events, activities, or patterns
- (2) Association with important persons
- (3) Distinctive physical characteristics of design, Construction, or form
- (4) Potential to yield information important in history or prehistory (archaeology)

“Landmark(s)” means any building, structure or archaeological site that has been designated as a “Landmark(s)” by ordinance of the City Council, pursuant to procedures prescribed herein, that is worthy of preservation, restoration or rehabilitation because of its historic, architectural or archaeological significance

“Owner(s)” means the owner(s) of record.

“Historic Preservation or Preservation” means the act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic property.

“Person(s)” means an individual, corporation, partnership, or any other group acting as a unit.

“Reconstruction” means the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

“Rehabilitation” means the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.

“Restoration” means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the

restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

“Structure” means, for purposes of this policy, that which is built or constructed or a portion thereof where the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground within the Historic District.

Whenever the words: “Addition”, “Alteration”, “Building”, “Change”, “Construction”, “Demolition”, “Exterior Architectural Feature”, “Historic District”, “Historic Site”, “Historic Structure”, “Reconstruction”, “Restoration”, “Rehabilitation”, “Structure” are stated in this Chapter, they shall be construed as though they were followed by the words “or any part thereof.”

1801.04 Historic Preservation Commission: Qualifications of Members.

- (A) This Historic Preservation Commission shall consist of five (5) members. All members should have, to the highest extent possible, a recognized knowledge and/or a known interest in Historic Preservation together with a determination to work for the overall improvement of the Commission. The City shall make every effort to assure that at least two members shall be preservation related professional members from the fields of architecture, architectural history, history, archaeology, planning or a related discipline. In the event that fewer than two (2) members of the Commission meet the above professional standing, up to two (2) residents or non-residents may be appointed as ad-hoc, non-voting members to advise the Commission as needed. In addition, one member of the Commission shall be a member of the Monroe Historical Society.
- (B) Each member of the Commission shall have been a resident of the City for not less one (1) year prior to their appointment to the Commission and shall continue to reside in the City during their term in office.
- (C) Members, including ad-hoc, shall be appointed by the City Council for a period of two (2) years. Initial appointments shall be for a staggered term with two (2) members being appointed for three (3) year terms, and three (3) members being appointed for two (2) year terms.
- (D) Vacancies shall be filled by appointment by the City Council for the unexpired term of the member affected.

1801.05 Organization of Officers

- (A) The members of the Commission shall choose, annually, members to serve as Chair, Vice-Chair and Secretary, for a period of one (1) year or until their successor has been chosen.
- (B) The Commission shall adopt and maintain rules of procedures. These rules shall be reviewed annually and made available for public inspection.
 - (1) At least four (4) meetings a year held at regular intervals

(2) Review decisions made in a public forum, applicants notified of meeting's and advised of decisions.

~~(3) The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record and be immediately filed in the office of the Clerk of Council.~~

~~(4)~~ (3) Annually, the Commission shall prepare a report to City Council detailing all Commission activities including but not limited to cases, decisions, special projects and qualifications of current members. Said report shall be kept on file by the Clerk of Council and available for public inspection.

1801.06 Additional Powers and Duties of the Commission

- (A) Permit, by approval of the application of any property owner(s), the appropriateness of the demolition, construction, preservation, restoration, rehabilitation of any home, commercial establishment or other structure, or new construction within the designated Historic District, or any other areas, places, buildings, structures, works of art or similar objects in the City having historical significance.
- (B) Conduct a continuing survey of all areas, places, buildings, structures, works of art or similar objects in the City which the Commission, on the basis of information available or presented to it, has reason to believe are, or will be eligible for designation as a historic structure. All surveys shall be in conformance with the Ohio History Connection (OHC) standards.
- (C) Make recommendations for designation and historic districts to the appropriate local governing body.
- (D) Establish and use written guidelines for the conservation of designated local landmark(s) and historic districts in decisions on requests for permits for alterations, demolition, or additions to listed landmark(s), buildings, and sites within historic districts.
- (E) Act in an advisory role to other officials and departments of local government regarding the protection of local cultural resources.
- (F) Act as a liaison on behalf of the local government to individuals and organizations concerned with historic preservation.
- (G) Work for, the continuing education of the citizens of the City with respect to the historic and architectural heritage of the City, and the historic preservations designated under the provisions of this Chapter.
- (H) Seek expertise when the Commission considers a National Register nomination and other actions (e.g., an archaeological site) which are normally evaluated by a professional in a

specific discipline (e.g., archaeologist), and that discipline is not represented on the Commission, before rendering its decision.

- (I) Conduct or encourage members to attend training/educational sessions at least once a year, or in-depth consultation with the OHC, pertaining to work and functions of the Commission or on specific historic preservation issues.
- (J) Additional responsibilities may be undertaken by the ~~e~~Commission upon mutual written agreement between the OHC and the City.
- (K) Authority to establish rules and regulations consistent with the provisions of this Chapter and the spirit of its purpose to assist the Commission in evaluating applications for historic preservation designations submitted to it, the manner in which such applications are processed and the proper and orderly conduct of its business.
- (L) Seek and maintain Certified Local Government status with the Ohio Historic Connection and assume responsibility and duties of that certification, provided they do not exceed the parameters of this Chapter.

1801.07 Designation of Historic Preservation District or Listed Property

- (A) The Commission may designate, or any property owner(s) may apply, to the Commission to designate a building or property as a historical listed property and/or district. In determining whether or not to designate such building or property as a historical listed property, the Commission shall consider the following criteria with respect to such item:
 - (1) Its character, interest, or value as part of the development, heritage or cultural characteristics of the City of Monroe, the State of Ohio, or the United States.
 - (2) Its location as a site of a significant historic or archaeological event.
 - (3) Its identification with a person or persons who significantly contributed to the culture and development of the City, the State of Ohio, or the United States.
 - (4) Its exemplification of the cultural, economic, social, or historic heritage of the City.
 - (5) Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style.
 - (6) Its embodiment of a distinguishing characteristic of an architectural type or specimen.
 - (7) Its identification as the work of an architect or master builder whose individual work has influenced the development of the City, the State of Ohio, or the United States.
 - (8) Its embodiment of elements of architectural design, detail, materials, or craftsmanship, which represent a significant architectural innovation.
 - (9) Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood or, community of the City.
 - (10) Such other individual characteristics as shall be relevant to its designation as a historical listed property.

(B) In making a new designation, the Commission shall take the following actions:

- (1) The Commission shall notify the owner(s) of the property recommended for historic status of the proposal to designate their property. Whenever possible the Commission shall secure the owner(s) written consent for the proposed designation.
- (2) The Commission shall conduct a public hearing. The Commission shall cause a legal notice to be prepared and published indicating the property(s) to be designated and the time, date, and location of the hearing. The Commission shall make a determination with respect to the proposed designation within fifteen (15) days after the initial hearing date and shall notify the owner(s) in writing.
- (3) The Commission will make a recommendation to City Council for the designation.
- (4) Council shall give due consideration to the recommendations of the Commission and the views expressed during the hearing in making its determination. Council may, at its discretion, hold public hearings on any such proposed designation whether the designation is proposed only with the consent of the owner(s) or after public hearings before the Commission. Council may agree with the recommendation, disapprove of the recommendation, or table the recommendation for alterations.
- (5) Once Council decides on the status of a historic structure or historic district designation, the Commission shall notify the Department of Development and relevant City offices of the official designation.
- (6) Notwithstanding any provision of this Chapter, Council may rescind the designation only after causing a public hearing outlined in subsection (b)(4) of any area, place, building, structure, work of art or similar object as a listed landmark(s) or historic district. Such recession shall relieve the owner(s) of such area, place, building, structure, work of art or similar object from any duties or penalties contained in this Chapter.
- (7) Notwithstanding any provision of this Chapter, Council may rescind the designation only after causing a public hearing outlined in subsection (b)(4) of any area, place, building, structure, work of art or similar object as a listed historic preservation or City of Monroe Historic Preservation District. Such recession shall relieve the owner(s) of such area, place, building, structure, work of art or similar object from any duties or penalties contained in this Chapter.

1801.08 National Register Process

In accordance with the National Historic Preservation Amendments Act of 1980, the Commission shall submit a report to the State Historic Preservation Office (SHPO) regarding the eligibility of each property or district proposed for nomination to the National Register. This report shall include the recommendation of the Commission and the City Council. A copy of the report prepared by the Commission to SHPO shall be made available for public inspection. The Commission will be involved in the National Register process in the following manner:

- (A) The SHPO will forward a copy of completed National Register nominations with a staff review sheet to the Commission for all properties within the City prior to the preliminary review of the nomination unless the Commission itself has initiated or reviewed the nomination prior to submission to the SHPO.

- (B) Following the initial review by the Ohio History Connection Board of Trustees, Ohio Historic Site Preservation Advisory Board (OHSPAB), and prior to the final review of the nomination, the Commission shall inform the SHPO and the property owner(s) as to their opinion regarding the eligibility of the property. If the Commission and City Council do not agree, both opinions shall be forwarded to the SHPO.
- (C) If both the Commission and City Council recommend that a property not be nominated, the SHPO will inform the property owner(s), the OHSPAB, and the property will not be nominated unless an appeal is filed with the State Historical Preservation Officer under the regulations established for the appeals process which in accordance with 36 CFR (Code of Federal Regulations), Part 60.
- (D) If either or both the Commission and City Council agree that the property should be nominated; the nomination will be scheduled for final review by the OHSPAB. If no report is submitted, the nomination will be reviewed within 60 days. The opinion or opinions of the Commission and the City Council will be presented to OHSPAB for its consideration.

The OHSPAB, after considering all opinions, shall make its recommendation to the State Historic Preservation Officer. Either the Commission or the City Council may appeal the final decision of the SHPO under the aforementioned appeals procedure. In order to expedite the nomination process, the Commission may elect to send a supporting letter with the nomination when it is first submitted to SHPO. The letter should be signed by both the Mayor and the authorized representative of the Commission. The letter may be accompanied by a formal report, but should, at least, clearly state that in their opinion the property meets the National Register criteria (including reference to specific criteria), and that the letter is their report on the property. Public participation requirements still apply.

1801.09 Permits Required, Procedures for Reviewing Proposed Construction, Additions, and Alterations to Designated Structures or Structures within a Designated Historic District

- (A) No person shall make any alteration, addition or environmental change to any designated historic property or construct, make alterations or additions to any structure within a designated historic district without first obtaining a Certificate of Appropriateness (COA). Any other use, arrangement or construction, or failure to obtain the appropriate permit(s), certificate(s), or inspection(s), shall be deemed to be a violation of this code, punishable under subsection 1801.99: Enforcement Provisions and Penalties.
- (B) The Commission shall make a determination on an application for a COA within thirty (30) days of the filing of the action, unless the applicant approves an extension of time. The Commission may also table the application for additional information or clarification or for lack of information until the next meeting or for a specific period of time. If the Commission fails to render its decision within the specified time period, the application for COA shall be deemed approved.
- (C) The Commission shall make a determination on an application for COA within thirty (30) days of the filing of the action.

- (D) In making such a determination for the issuance of a COA, the Commission shall refer to the Secretary of the Interior's Standards for Rehabilitation and to development design guidelines adopted by the Commission.
- (E) All departments, officials and employees who are vested with the duty or authority to issue permits, shall issue no permit for any use, building or purpose if the same would be in conflict with the provisions of this code.

1801.10 Procedures for Reviewing Proposed Demolitions of Designated Resources

In addition to the above procedures, if an application for a Certificate of Appropriateness (COA) seeks approval of demolition, the Commission may delay determination of the application for a period of 180 days upon a finding that the structure is of such importance that alternatives to demolition may be feasible and should be actively pursued by both the applicant and the Commission. In the event that action on an application is delayed as provided herein, the Commission may take such steps as it deems necessary to preserve the structure in accordance with the purposes of this Chapter. Such steps may include but are not limited to, consultation with civic groups, public agencies, and interested citizens, marketing plans, recommendation for acquisition of the property by public or private bodies or agencies, and exploration of the possibility of moving the structure or structures.

1801.11 Enforcement Provisions and Penalties

- (A) If it is found that any of the provisions of these standards are violated, the person responsible for such violations shall cease all work upon notification, and no work shall be performed except to correct the violations. All work shall be corrected within a reasonable period and any violations not corrected within the specified time may be prosecuted.
- (B) Whoever constructs, reconstructs, or alters any exterior architectural feature or demolishes a substantial part or all of any building within the historic district without a Certificate of Appropriateness shall be deemed guilty of a misdemeanor and be fined not more than one thousand dollars (\$1,000.00). Each day of violation shall be considered a separate offense.
- (C) Whoever constructs, reconstructs, or alters any exterior architectural feature or demolishes a substantial part or all of any historic structure, landmark, or historic site now or hereafter in violation of this Chapter shall be deemed guilty of a misdemeanor and shall be fined not more than one thousand dollars (\$1,000.00). Each day of violation shall be considered a separate offense.
- (D) Whoever violates this section shall be required to restore and reconstruct such features in full detail.

1801.12 Comprehensive Plan

The administration, enforcement, and amendment of this Chapter should be consistent with the City of Monroe Comprehensive Plan, as amended and herein referred to as the "Comprehensive Plan". Amendments to this code should maintain and enhance the consistency between this Chapter and the Comprehensive Plan.

1801.13 Appeals Procedure

- (A) Decisions by the Commission may be appealed to the Board of Zoning Appeals within ten (10) days of the ~~e~~Commission hearing. No building permit or other permit required for the activity applied for shall be issued during the ten-day period or while an appeal is pending.
- (B) The Board of Zoning Appeals shall consider an appeal within thirty (30) days of receipt and shall utilize the written findings of the Commission in rendering their decision.

1801.14 Records

The Commission shall maintain complete records of all listed properties, written rules and guidelines for Commission proceedings and kept for such records in the office of the ~~Clerk of Council for public inspection. This designation shall also be noted in the records of the~~ Department of Development. The Commission secretary shall be responsible for maintaining the records and the records shall be reviewed twice a year by the Commission for completeness.

1801.15 Compensation

No compensation shall be paid to any member of the Historic Preservation Commission for services performed on this Commission.

1801.16 Conflict of Interest

No voting member of the Commission shall participate in the review of any item for discussion before such Commission if such member has any direct financial interest in the property involved in such discussion.

1801.17 Transitional Rules

The purpose of these transitional rules is to resolve the status of properties with pending applications or recent approvals, and properties with outstanding violations.

(A) Transfer of Ownership.

- (1) No owner(s) of any building or structure who has received a compliance order or upon whom a notice of violation has been served shall sell, transfer, mortgage, lease or otherwise dispose of such building or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner(s) shall furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility, without condition, for making the corrections or repairs required by such compliance order or notice of violation.

(B) Nonconforming Uses.

- (1) Any legal nonconformity that existed at the time this amendment became effective shall continue to be a legal nonconformity under this Chapter as long as the situation that resulted in the nonconforming status under the previous code continues to exist and shall be controlled by the Planning and Zoning Code.
- (2) If a legal nonconformity that existed at the time this amendment became effective becomes conforming because of the adoption of this code, then the situation will be considered conforming and shall no longer be subject to the regulations pertaining to nonconformities.

1801.18 Other Provisions.

(A) Severability.

- (1) If any provision of this Chapter or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this Chapter which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are hereby declared severable.

(B) Minimum Maintenance Requirement.

- (1) The owner(s) of a historic structure or any structure within a historic district, if such structure is vacant and uninhabited, shall, pursuant to the City of Monroe Code of Ordinances, provide sufficient maintenance and upkeep for such structure to ensure its perpetuation and to prevent its destruction by deterioration.
- (2) The provisions of subsection (B)(1) above shall be in addition to all other applicable provisions of the City of Monroe.
- (3) The Commission, on its own initiative, may file a petition with the building inspector requesting that they proceed to take action against any owner(s), which in the opinion of the Commission is in violation of subsection (B)(1) above.”

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:_____

Jake Burton

EXPERIENCE CITY OF FAIRFIELD, FAIRFIELD, OH, APRIL 2021 – PRESENT

Finance Director, 4/2021 – Present

- Responsible for management of the City's finance services including financial reporting, annual operating budget and capital budget, investments, debt management, accounting, utility billing, and local income tax collection functions
- Plan, assign, direct, coordinate, and exercise supervision over seventeen employees
- Serve as Board Member on Miami Valley Risk Management Association (MVRMA)
- Serve as City representative on West Chester Township JEDD
- Serve as Board Member on newly created PACE and CIC initiatives
- Partnered with Invoice Cloud to allow for Venmo and PayPal payment options for Utility bills
- Produced City's first-ever Budget Book in 2022 and received GFOA budget award
- Created "A Residents Guide to Local Tax" report to include on City's website
- Assist the City Manager as member of Senior Management team on city-wide initiatives
- Named Acting City Manager in City Manager's absence beginning at 4 months of employment

CITY OF MIDDLETOWN, MIDDLETOWN, OH, OCTOBER 2014 – APRIL 2021

Finance Director, 12/2015 – 4/2021

- Responsible for management of the City's finance services including financial reporting, planning and controlling the City's overall budget, investments, debt management, accounting, utility billing, purchasing, and local income tax collection functions
- Plan, assign, direct, coordinate, and exercise supervision over twenty-one employees
- Serve as City representative on Liberty Township JEDD
- Increased City's General Fund reserve balance each year despite funding challenges
- Launched OpenGov in 2015, making the City's finances available to the public
- City was awarded the Ohio Auditor of State Award with Distinction for the first time ever for the 2015 financial audit and again for the 2016 audit
- Refinanced \$11 million of existing bonds in July 2017 to save the City approximately \$1 million over the remaining 10 years of debt payments
- Produced City's first-ever Popular Annual Financial Report (PAFR) in 2018
- Partnered with Invoice Cloud in 2020 to allow for online and auto payments for Utility bills
- Assist the City Manager as member of Senior Management team on city-wide initiatives
- One of three rotating employees named Acting City Manager in City Manager's absence

Assistant Finance Director, 10/2014-12/2015

- Serve as City Treasurer and Utility Billing Supervisor, supervising ten employees
- Plan and direct activities for billing personnel, handle customer complaints, and supervise all associated billing activity for City's utilities
- Invest the City's funds according to the O.R.C. and the City's investment policy
- Oversee all activities related to Accounts Payable, Accounts Receivable, and Payroll

MACY'S INC., CINCINNATI, OH, MAY 2009 – OCTOBER 2014

Senior Accountant – General Ledger/Utilities, 10/2011-10/2014

- Manage daily utilities payment processing and review of utility invoices and accruals
- Manage two entry-level accountants
- Tester/Trainer on General Ledger and Payables system conversion to Oracle Software
- Reduced late fees on invoices by 85% from 2011 to 2013
- Lead on ACH vendor conversion – converting 65% of utility vendor payments from check to ACH after system conversion in September 2013

Staff Accountant – Leased-Tenant and Stock, 4/2010-10/2011

- Prepare leased tenant income reports, financial analysis of monthly results, and monthly account reconciliations
- Work directly with Sr. Mgt. on all stock exercised, and month-end stock closing process
- Manage hourly Accounting Specialist and Summer Intern

Accountant – Miscellaneous Assets and Liabilities, 5/2009-4/2010

- Prepare and review monthly balance sheet account reconciliations
- Perform month-end closing process accurately and timely

MIAMI UNIVERSITY COMMUNITY FEDERAL CREDIT UNION, OXFORD, OH, JANUARY 2009 – MAY 2009

Student Intern – Project Assistant

- Provide excellent customer service while assisting customers with various banking transactions and execute daily operations of loan processing

PEPSI COLA BOTTLING CO., HAMILTON, OH, OCTOBER 2005 – DECEMBER 2008

Retail Merchandiser

- Responsible for merchandising key accounts in the Butler and Warren County area in a fast-paced working environment and training newly hired employees

**SKILLS &
ABILITIES**

- Sound knowledge of business and accounting principles and practices
- Excellent written and oral communication skills
- Exceptional organizational, customer service and management skills
- Proficient in MS Excel, Word, and PowerPoint programs
- Experienced in Munis, Authority Tax, Oracle E-Business Suite, CMI, SSI, and CityTax

**VOLUNTEER
ACTIVITIES**

- Municipal Finance Officers Association of Ohio – Board Member, District 1 (2018 – Present)
- Junior Achievement (2018 – 2020) – teaching “Career Success” and “Personal Finance”
- Shoes 4 the Shoeless at community elementary schools (2017 – 2021)
- Coach for Monroe Soccer Association and Monroe Sports Association (Baseball)
- Member of the State and National Government Finance Officers Association, the Greater Cincinnati Finance Officers Association, and the Ohio Association of Public Treasurers

EDUCATION

MIAMI UNIVERSITY - OXFORD, OH - 2009

Bachelor of Science in Business, Major in Accounting