



**Monroe Council Agenda
Regular Meeting
August 23, 2022 – 6:30 p.m.
233 South Main Street, Monroe, Ohio**

Pledge of Allegiance

Roll Call

Approval of the Minutes – Council Minutes of August 9, 2022.

Visitors

- Swearing in of Ethan Motley, Chase Collins, and Matthew Schueler as Firefighter/Paramedic/EMT
- Swearing in of Josh Crone 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. 32-2022. A Resolution approving participation in Region 14 Governance Structure under The OneOhio Memorandum of Understanding. (Second Reading)

New Business

Emergency Resolution No. 33-2022. A Resolution accepting the lowest and/or best bid submitted for the Brittany Heights Concrete Assessment Rehabilitation Project, approve a ten percent contingency fee, authorize the City Manager to enter into a contract by and between the City of Monroe and Jackson Construction Inc. for said project, and declaring an emergency.

Emergency Resolution No. 34-2022. A Resolution appointing an Initial Region 14 Representative and Alternate Representative to the OneOhio Recovery Foundation, Inc. Board and declaring an emergency.



Emergency Ordinance No. 2022-24. An Ordinance establishing the OneOhio Opioid Settlement Fund and declaring an emergency.

Emergency Ordinance No. 2022-25. An Ordinance amending and supplementing the Traffic Code and General Offenses Code of the Codified Ordinances to bring City law into conformity with State law and declaring an emergency.

Consideration of Motion. Authorize the City Manager to execute an application for an amendment to the Shops of Monroe Crossings Planned Unit Development.

Administrative Reports

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

Adjournment



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Old Business

Resolution No. 32-2022. A Resolution approving participation in Region 14 Governance Structure under The OneOhio Memorandum of Understanding. (Second Reading)

New Business

Emergency Resolution No. 33-2022. A Resolution accepting the lowest and/or best bid submitted for the Brittany Heights Concrete Assessment Rehabilitation Project, approve a ten percent contingency fee, authorize the City Manager to enter into a contract by and between the City of Monroe and Jackson Construction Inc. for said project, and declaring an emergency.

Background. This is for the approval of the concrete assessment program in the Brittany Heights subdivision. Bids were opened and read aloud on August 10, 2022 at 10:00AM. Jackson Construction was the low bidder. Our staff has reviewed the bids for inconsistencies and checked on references so we are able to make the recommendation for this low bid. The bid on this contract was for \$64,663.05. With an original budget of \$300,000.00 and an Engineer's estimate of \$132,000.00, we are well under budget on this project.



We are asking for this to be read as an emergency to allow the contractor to begin working as soon as possible to meet the deadline requirements of the project. With two readings and a 30-day rest period, the project would be difficult to complete within weather constraints.

Emergency Resolution No. 34-2022. A Resolution appointing an Initial Region 14 Representative and Alternate Representative to the OneOhio Recovery Foundation, Inc. Board and declaring an emergency.

Background. Pursuant to the OneOhio Memorandum of Understanding each Region shall create their own governance structure so it ensures all Local Governments have input and equitable representation regarding regional decisions including representation on the statewide Foundation Board and selection of projects to be funded from the Region's regional Share.

Emergency Ordinance No. 2022-24. An Ordinance establishing the OneOhio Opioid Settlement Fund and declaring an emergency.

Background. The State of Ohio developed the OneOhio plan, a mechanism to ensure that any money from a negotiated opioid settlement is distributed fairly to the communities hit hardest by the opioid crisis. The settlement agreement allocates 30% to local governments (LG Share), 55% to a foundation that will distribute funds to projects, and 15% to the Office of the Ohio Attorney General as Counsel for the State of Ohio.

On July 21, 2021, the parties in the National Prescription Opioid Litigation reached a settlement to resolve all opioid litigation brought by states and local political subdivisions against certain pharmaceutical distributors and manufacturers. The settlement provides funds to states and local subdivisions to help abate the on-going opioid epidemic. Ohio is participating in the settlement, thus making local governments eligible to receive these funds.

Council passed Resolution 45-2021 on August 10, 2021 accepting the terms of the settlements and approved the first reading of Resolution 32-2022 on August 9, 2022 approving participation in Region 14 Governance Structure under The OneOhio Memorandum of Understanding. The City received its first opioid settlement for \$10,357.03 from the State of Ohio in July 2022. Therefore, staff is requesting the adoption of this Ordinance as an emergency so the funds received can be properly accounted for. This approximate amount is expected to be received annually for eighteen years. Per Auditor of State Bulletin 2022-003, the City is required to establish a separate fund for the OneOhio Settlement Funds.

Emergency Ordinance No. 2022-25. An Ordinance amending and supplementing the Traffic Code and General Offenses Code of the Codified Ordinances to bring City law into conformity with State law and declaring an emergency.

Background. The majority of the Traffic Code and General Offenses Code mirrors State and Federal law. When citations are issued reference to local code sections are referenced which keep more of the court costs coming directly to the City of Monroe.



Consideration of Motion. Authorize the City Manager to execute an application for an amendment to the Shops of Monroe Crossings Planned Unit Development.

Background. The Shops of Monroe Crossing Commercial - PUD (CPUD) was created in 2007. Since that time, the parcels in question have yielded little interest for commercial development, suggesting a residential use to be more suitable. Because the City is party to the CPUD with a property owner interest (also outlined in teal of Figure 1: Location Map), the City, and all other property owners/parties to the CPUD must acknowledge signatory consent of the proposed CPUD modifications. Signatory consent grants authorization from CPUD stakeholders for Park Place Development, LLC to move forward with the proposed CPUD modifications. This initial step in the PUD modification process is further explained in the Certification and Signatures portion of the PUD application form.

Administrative Reports

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

Adjournment



**Monroe Council Minutes
Regular Meeting
August 9, 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, Kelly Clark, Jason Frentzel, Keith Funk, Christina McElfresh, and Ben Wagner.

Approval of the Minutes

Mr. Bellapianta moved to approve the Finance Committee Minutes and Council Minutes of July 26, 2022; seconded by Dr. Clark. Voice vote. Motion carried.

Visitors

None.

Committee Reports

None.

Old Business

None.

New Business

Emergency Resolution No. 31-2022. A Resolution approving a Then-and-Now Certificate in the amount of \$10,746.10 to All American Fire Equipment and declaring an emergency.

Mr. Brock noted that it was anticipated to pay for the repairs on a purchase card; however, it exceeded the limit when additional repairs were needed.

Mrs. McElfresh 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 Dr. Clark. Voice vote. Motion carried.

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



Mrs. McElfresh moved to adopt Emergency Resolution No. 31-2022; seconded by Mr. Wagner. Roll call vote: seven ayes. Motion carried.

Resolution No. 32-2022. A Resolution approving participation in Region 14 Governance Structure under The OneOhio Memorandum of Understanding.

Mr. Brock reminded Council that last year the City entered into the Memorandum of Understanding for the opioid settlement through the Attorney General's process. The City joined the OneOhio process and this resolution approves participation in Region 14 as the funds are distributed. The regions were drawn up by the state.

Mayor Funk added that the Mayor of Hamilton serves on this board and was pushing for Butler County as a whole to receive more so that the funds are split up to those counties more affected by the opioid epidemic rather than split evenly.

Mrs. McElfresh moved to consider this the first reading of Resolution No. 32-2022 and have it read by title only; seconded by Mr. Frentzel. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 32-2022 by title only.

Mrs. McElfresh moved to approve the first reading of Resolution No. 32-2022; seconded by Mr. Bellapianta. Roll call vote: seven ayes. Motion carried.

Ordinance No. 2022-22. An Ordinance amending and supplementing Ordinance No. 2022-07, otherwise known as the permanent appropriations ordinance, to meet current expenses and other expenditures of the City of Monroe, during fiscal year ending December 31, 2022.

Mr. Brock reported the changes to the appropriations ordinance were in the Council packet. He pointed out the overtime was budgeted and not appropriated and an increase in legal services is included in this Ordinance. Mr. Frentzel asked if overtime is usually included and Mr. Brock replied that it typically is included.

Mrs. McElfresh moved to suspend the rule requiring the reading of Ordinance No. 2022-22 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 Ordinance No. 2022-22 by title only.

Mrs. McElfresh moved to adopt Ordinance No. 2022-22; seconded by Mr. Wagner. Roll call vote: seven ayes. Motion carried.

Emergency Ordinance No. 2022-23. An Ordinance amending and supplementing Exhibit "1" of Emergency Ordinance No. 2022-06 to increase the number of positions for Patrol Officer, eliminate the position of Engineering Technician, establish the position and pay range for Construction Inspector, and declaring an emergency.



Mr. Brock advised this ordinance increases the number of Patrol Officers to 29 in response to Chief Buchanan's presentation at the last meeting of Council. Additionally, it changes the Engineering Technician to Construction Inspector. Mr. Frentzel understood the Construction Inspector would be performing a portion of the work that fell under the Engineering Technician's position and asked who would be performing the remainder of the work. Mr. Brock advised that the Civil Engineer would be responsible for that.

Mrs. McElfresh moved to suspend the rule requiring the reading of Emergency Ordinance No. 2022-23 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. 2022-23 by title only.

Mrs. McElfresh moved to adopt Emergency Ordinance No. 2022-23; seconded by Mr. Frentzel. Roll call vote: seven ayes. Motion carried.

Consideration of Motion authorizing the additional expenditure of \$1,155.00 for a concrete buggy for the Department of Public Works.

Mr. Brock noted the increase is due to the supplier price increase, which is permitted under the state bid.

Mrs. McElfresh moved to authorize the additional expenditure of \$1,155.00 for a concrete buggy for the Department of Public Works; seconded by Mr. Frentzel. Voice vote. Motion carried.

Consideration of Motion accepting the bid through SWOP4G dated July 29, 2022 for de-icing salt from Compass Minerals.

Mayor Funk commented that the 50% increase from last year is likely due to the increase in fuel.

Mrs. McElfresh moved to accept the bid through SWOP4G dated July 29, 2022 for de-icing salt from Compass Minerals; seconded by Mr. Bellapianta. Voice vote. Motion carried.

Consideration of Motion accepting the February, March, and April 2022 Finance Reports as submitted.

Mrs. McElfresh moved to accept the February, March, and April 2022 Finance Reports as submitted; seconded by Mr. Bellapianta. Voice vote. Motion carried.

Administrative Reports

Mr. Brock addressed Council on the rules and responsibilities of the Park and Recreation Board as set forth in Chapter 276 of the Codified Ordinances. This Chapter indicates that the Board would work with the School District and asked Council what level of involvement does the Council want the Board to have with the Monroe Local School District. The Chapter refers to conducting



any form of recreation or cultural activity for the benefit of the residents of the municipality and it appears to overlap with the Public Involvement Committee. Mr. Brock felt this needs further definition and what Council would like each body to do.

This Chapter contains language that, with the approval of Council, the Board employs a Director of Recreation, play leaders, supervisors and such other employees as it may deem appropriate. Mr. Brock explained it is written as though the Board will direct a department rather than the City Manager. He would like to know how Council would want that relationship to work in the future. It is also written as though the Board has a significant level of authority without direction of Council. Council needs to decide if this is how they want the Board to operate.

As programs develop, Mr. Brock felt that a discussion is needed how the Chapter referring to establishment of reasonable charges for amusement, entertainment, refreshments and transportation to the public would apply. Discussion is also needed on how the rules and regulations are enforced.

The Chapter is written as if the Board has their own accounts. A revenue stream needs to be defined and dedicated so the Board can make decisions on park projects.

Mr. Brock requested Council to think about what role they want the Park and Recreation Board to have in the development of the parks and recreation plans and programing, how much autonomy do you want to give the Board, what decision making levels the Board should have, and should the Board make recommendations to update this Chapter.

Mr. Brock advised that he and Mrs. Waggaman will be meeting with the Board tomorrow evening to begin the discussion of priority setting of existing plans, define new plan areas, and defining the role of public engagement needed.

In response to Mrs. McElfresh's question, Mr. Brock hopes to have the amendments to this Chapter by the end of the year to Council.

Referring to feedback and reporting back from the Board to Council, Mrs. McElfresh pointed out there is a Council Liaison position that would take care of that. Mr. Brock added that staff will be making recommendations as well. Mr. Frentzel would be interested in getting the opinion of the Park and Recreation Board. Mr. Brock will obtain sample Park and Recreation Board rules and regulations from other jurisdictions.

Mr. Callahan asked if a fence will be installed between the North Monroe Cemetery and the new parts store. Mr. Brock advised that there will not be a fence, but there will be a landscape buffer.

Mr. Callahan thought it would be good to have a tent for Council to meet and greet the public during events such as Monroe Night Out. Mr. Brock stated that if Council requests a tent at the events it can be provided.



- **Executive Session** – Discuss the employment of a public employee.

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

Council adjourned into executive session at 7:12 p.m.

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

Council reconvened into regular session at 7:56 p.m.

Adjournment

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

The regular meeting of Council adjourned at 7:56 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

EMERGENCY RESOLUTION NO. 33-2022

A RESOLUTION ACCEPTING THE LOWEST AND/OR BEST BID SUBMITTED FOR THE BRITTANY HEIGHTS CONCRETE ASSESSMENT REHABILITATION PROJECT, APPROVE A TEN PERCENT CONTINGENCY FEE, AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT BY AND BETWEEN THE CITY OF MONROE AND JACKSON CONSTRUCTION INC. FOR SAID PROJECT

WHEREAS, after advertising and bidding according to law, Council desires to accept the lowest and/or best bid for the Brittany Heights Concrete Assessment Rehabilitation Project.

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

SECTION 1: The bid submitted by Jackson Construction Inc. is hereby declared to be the lowest and/or best bid for the Brittany Heights Concrete Assessment Rehabilitation Project.

SECTION 2: Council hereby approves the addition of a ten percent contingency fee in the amount of \$6,466.31.

SECTION 2: Council hereby accepts the bid referenced herein and authorizes the City Manager to enter into an agreement by and between the City of Monroe and Jackson Construction Inc. pursuant to the terms and conditions contained in the bid documents submitted on August 10, 2022.

SECTION 3: 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 desires to award this bid at the earliest possible date to allow for sufficient time to perform the work necessary prior to inclement weather. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED:_____

ATTEST:

APPROVED:

Clerk of Council

Mayor

EMERGENCY RESOLUTION NO. 34-2022

A RESOLUTION APPOINTING AN INITIAL REGION 14 REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO THE ONEOHIO RECOVERY FOUNDATION, INC. BOARD AND DECLARING AN EMERGENCY.

WHEREAS, the City of Monroe adopted and approved the OneOhio Memorandum of Understanding, which establishes a mechanism to disburse settlement proceeds from opioid litigation into Ohio's communities to help abate the opioid crisis, including allocations to Local Governments and Regions through a statewide Foundation; and

WHEREAS, pursuant to the Memorandum of Understanding each Region shall create their own governance structure so it ensures all Local Governments have input and equitable representation regarding regional decisions including representation on the statewide Foundation Board and selection of projects to be funded from the Region's regional Share; and

WHEREAS, the imminent distribution of Opioid Funds through the OneOhio Recovery Foundation, Inc. requires immediate appointment of a regional representative from this Region; and

WHEREAS, Regions have the responsibility to make submissions regarding the allocation of funds to projects that will equitably serve the needs of the entire Region; and

WHEREAS, Greta Hochstetler Mayer has expressed a willingness and ability to serve as the initial Region 14 Representative on the OneOhio Recovery Foundation, Inc. Board for an initial term that will begin May 16, 2022 by and upon concurrence of all Local Governments participating in Region 14, and end May 15, 2024 upon reappointment, a successor appointment, resignation or removal by the regional board.

WHEREAS, Karen Scherra has expressed a willingness and ability to serve as the initial Region 14 Alternate Representative alternate on the OneOhio Recovery Foundation, Inc. Board for an initial term that will begin May 16, 2022 by and upon concurrence of all Local Governments participating in Region 14, and end May 15, 2024 upon reappointment, a successor appointment, resignation or removal by the regional board.

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

SECTION 1: Subject to and effective upon the concurrence of all Local Governments (counties, cities, villages, townships) in Region 14, Greta Hochstetler Mayer shall be appointed as the initial Region 14 Representative to the OneOhio Recovery Foundation, Inc. Board.

SECTION 2: Subject to and effective upon the concurrence of all Local Governments (counties, cities, villages, townships) in Region 14, Karen Scherra shall be appointed as the initial Region 14 Alternate Representative to the OneOhio Recovery Foundation, Inc. Board.

SECTION 3: This Region 14 Representative and Alternate may exercise all authority of a OneOhio Recovery Foundation, Inc. Board member under Section D.3 through and including D.11 of The OneOhio Memorandum of Understanding during this initial appointment; and shall report any such actions to the regional board in this Region.

SECTION 4: It is found and determined that all formal actions of this legislative body relating to the adoption of this Resolution were adopted in an open meeting, and that all deliberations that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 5: 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 desires to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED: _____

ATTEST:

APPROVED:

Clerk of Council

Mayor

EMERGENCY ORDINANCE NO. 2022-24

AN ORDINANCE ESTABLISHING THE ONEOHIO OPIOID SETTLEMENT FUND AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio reached an \$808 million agreement with the three largest distributors of opioids; and

WHEREAS, the State developed the OneOhio plan, a mechanism to ensure that any money from a negotiated settlement is distributed fairly to the communities hit hardest by the opioid crises; and

WHEREAS, the settlement agreement allocates 30% to local governments (LG Share), 55% to a foundation that will distribute funds to projects, and 15% to the Office of the Ohio Attorney General as Counsel for the State of Ohio; and

WHEREAS, Monroe City Council adopted Resolution No. 45-2021 on August 10, 2021, authorizing the City to enter into the participation agreement and accept the material terms of the OneOhio Subdivision Settlement pursuant to the OneOhio Memorandum of Understanding; and

WHEREAS, Ohio Revised Code 5705.09(F) requires subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax; and

WHEREAS, Ohio Revised Code 5705.10(I) further requires that money paid into a fund must be used only for the purposes for which such fund is established; and

WHEREAS, Auditor of State Bulletin 2022-003 recommends that each participating subdivision accepting the Funds provide by a written ordinance that the LG Share of the OneOhio Funds shall be placed in a separate fund and used only for the approved purposes as required by the OneOhio Memorandum of Understanding.

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

SECTION 1: Pursuant to Section 5705.09 of the Ohio Revised Code there is hereby created the OneOhio Opioid Settlement Fund to be used exclusively for funds received under the OneOhio Memorandum of Understanding.

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 desires to establish the fund at the earliest possible date as monies have been received under the OneOhio Opioid Settlement. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED:_____

ATTEST:

APPROVED:

Clerk of Council

Mayor

OHIO AUDITOR OF STATE KEITH FABER



Auditor of State Bulletin Bulletin 2022-003

DATE ISSUED: March 10, 2022

TO: All County, City, Township, Village Officials and Independent Public Accountants

FROM: Keith Faber
Ohio Auditor of State

SUBJECT: OneOhio Opioid Settlement

Ohio reached an \$808 million agreement with the three largest distributors of opioids. The state developed the OneOhio plan, a mechanism to ensure that any money from a negotiated settlement is distributed fairly to the communities hit hardest by the opioid crisis.

The settlement agreement allocates 30% to local governments (LG Share), 55% to a foundation that will distribute funds to projects, and 15% to the Office of the Ohio Attorney General as Counsel for the State of Ohio. This bulletin will focus on the allocation of settlement proceeds provided directly to local governments in the LG Share.

The purpose of this bulletin is to emphasize the separate accountability and accounting guidance for the LG Share of the OneOhio Opioid Settlement Funds (OneOhio Funds).

Approved Uses of the Local Government Share

OneOhio Funds must be utilized in a manner consistent with the “Approved Purposes” definition in the OneOhio memorandum of understanding (MOU). According to the MOU, the Funds must be used for “evidence-based forward-looking strategies, programming and services used to (i) expand the availability of treatment for individuals affected by substance use disorders, (ii) develop, promote and provide evidence-based substance use prevention strategies, (iii) provide substance use avoidance and awareness education, (iv) decrease the oversupply of licit and illicit opioids, and (v) support recovery from addiction services performed by qualified and appropriately licensed providers[.]”

Additionally, Exhibit A of the MOU sets forth agreed Ohio Opioid Abatement Strategies.

The Ohio Opioid Abatement Strategy includes three main components:

1. Strategies for Community Recovery: Included but not limited to prevention, treatment, recovery support and community recovery projects (examples include child welfare, law enforcement strategies and other infrastructure supports). These strategies have a hyper-local focus that allows communities to collaborate and expand necessary services to their community.
2. Strategies for Statewide Innovation & Recovery: Included but not limited to strategies included in Community Recovery Component but also projects that promote statewide change and regional development for prevention, treatment, recovery supports and community recovery (examples include regional treatment hubs, drug task forces, data collection and dissemination). This component also includes research and development to understand how to better serve individuals and families in Ohio.
3. Strategies for Sustainability: Ohio's addiction and mental health epidemic was not created overnight, and it will not go away immediately. By collaborating to share resources and knowledge, Ohio's state and local communities can build a sustainable financing strategy and infrastructure to reverse the damage that has been done and prevent future epidemics and crises.

The LG Share of the OneOhio Funds can also be used for past expenditures that are consistent with the approved purposes definition.

Accounting for the Local Government Share

Ohio Rev. Code §5705.09(F) requires subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax, which the law requires to be used for a particular purpose. Additionally, Ohio Rev. Code §5705.10(I) states that money paid into a fund must be used only for the purposes for which such fund is established.

Before the local government receives its portion from the state, the Auditor of State (AOS) recommends that each participating subdivision accepting the Funds provide by a written ordinance or resolution that the LG Share of the OneOhio Funds shall be placed in a separate fund and used only for the approved purposes as required by the OneOhio MOU. As the special fund is created under Ohio Rev. Code § 5705.09(F), local governments do not need to seek AOS approval for establishing this new fund.

AOS recommends that each participating subdivision accepting OneOhio Funds clearly document their rationale for each expenditure. This documentation is best provided by legislation adopted by the entity's legislative body explaining how the expenditure meets the approved purposes definition of the OneOhio MOU. To aid in our future audit work, we also ask that each expenditure be carefully tracked and adequate documentation of the expenditure be maintained.

For any expenditures previously made by a local government that are eligible for reimbursement with moneys from the LG Share, the local government must pass an ordinance or resolution that identifies

the prior expenditures and explains its determination that expenditures are for approved purposes consistent with the OneOhio MOU.

If local governments are using OneOhio Opioid Settlement dollars to reimburse expenditures from another fund, local governments have two options:

Reallocation method - Local governments should receipt the OneOhio Opioid Settlement dollars into the special revenue fund. If the original expenditure was made in the same fiscal year, the local government can reallocate the original expenditure from the original fund to the special revenue fund. Local governments should maintain documentation to support the reallocation. Local governments on the Uniform Accounting Network (UAN) system should refer to UAN for information on how to properly handle reallocations of expenditures in the UAN system. For guidance UAN provided to users to reallocate/reimburse receipts and expenditures using Coronavirus Relief Fund awards, click [here](#). Similar steps will apply to OneOhio Opioid Settlement dollars.

Invoice method - Local governments should receipt the OneOhio Opioid Settlement dollars into the special revenue fund. Management should prepare a detailed invoice documenting the fund that reported the original expenditure of allowable cost(s) (Original Fund), charge the invoice to the OneOhio Opioid Settlement Fund, and record a reduction of the appropriate expenditure if the reimbursement is within the same fiscal year as the original expenditure. Miscellaneous revenue may be a better choice if the reimbursement relates to a prior fiscal year. Some judgment may be needed to determine the best presentation of these amounts in each particular circumstance. Local governments should charge the appropriate functions/objects within the OneOhio Opioid Settlement Fund based on the billing received from the Original Fund. This method is most useful when the original expenditures were made in one year and receipt of the OneOhio Opioid dollars money didn't occur until the following year.

The AOS encourages recipients of OneOhio Funds to consult with their legal counsel as they plan to utilize the Funds.

Questions

This bulletin is not intended to answer all questions that local governments may have. AOS will continue to provide updated guidance.

If you have any questions regarding the information presented in the Bulletin, please contact the Center for Audit Excellence at the Auditor of State's Office at (800) 282-0370.



Keith Faber
Ohio Auditor of State

EMERGENCY ORDINANCE NO. 2022-25

AN ORDINANCE AMENDING AND SUPPLEMENTING THE TRAFFIC CODE AND GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO BRING CITY LAW INTO CONFORMITY WITH STATE LAW AND DECLARING AN EMERGENCY.

WHEREAS, Council deems it necessary to establish consistency with State Law, which include providing for penalties, codification, severability, and repeal conflicting ordinances set forth in the Traffic Code and General Offenses Code of the Codified Ordinances.

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

SECTION 1: The following sections of the Codified Ordinances are or contain new matter in the Traffic Code and General Offenses Code and are hereby approved, adopted, and enacted:

402.05, 402.075, 402.09, 402.20, 402.21, 402.22, 402.24, 402.275, 402.385, 402.39, 402.53, 404.03, 414.01, 414.10, 432.07, 432.13, 432.22, 432.30, 434.01, 434.02, 434.03, 434.07, 436.01, 436.02, 436.035, 436.04, 436.071, 436.074, 436.09, 436.11, 436.14, 438.10, 438.18, 440.05, 440.11, 442.01, 442.04, 442.07, 452.01, 452.03, 452.04, 452.05, 452.06, 452.07, 474.11, 476.03, 476.08, 606.02, 606.06, 606.07, 606.10, 606.12, 606.15, 606.19, 606.24, 606.30, 612.01, 612.07, 612.09, 618.05, 624.01, 624.02, 624.03, 624.04, 624.05, 624.07, 626.076, 624.08, 624.11, 624.12, 624.13, 624.14, 630.01, 630.02, 630.06, 630.07, 630.11, 630.12, 636.04, 636.045, 636.05, 636.08, 636.09, 636.10, 636.11, 636.12, 636.13, 636.15, 636.17, 636.18, 636.19, 636.20, 642.01, 642.02, 642.05, 642.11, 642.12, 642.14, 642.145, 642.18, 642.19, 642.24, 642.33, 648.08, 660.03, 660.07, 660.14, 666.03, 666.08, 672.01, 672.02, 672.04, 672.07, 672.10, 672.17, 672.18, 698.01, and 698.02.

SECTION 2: Pursuant to Section 7.16 of the City Charter, Ohio R.C. 731.23, and Section 222.01 of the Codified Ordinances, the Clerk of Council shall publish, in a manner required by law, a notice of the enactment of this Ordinance, containing the title of this Ordinance, together with a summary of the new matter contained in Exhibit "A" attached hereto and made a part hereof.

SECTION 3: All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 1 of this Ordinance are hereby repealed as of the effective date of this Ordinance, except as follows:

(a) The enactment of such sections and subsections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment

or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.

(b) The repeal provided above shall not affect any legislation enacted subsequent to August 23, 2022.

SECTION 4: 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 it is necessary to have an up-to-date codification of the traffic and general offenses laws of the City consistent with the latest State law, where such consistency is required by the Ohio Constitution. 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"
SUMMARY OF NEW MATTER
CONTAINED IN THE TRAFFIC CODE AND GENERAL OFFENSES CODE
OF THE CODIFIED ORDINANCES OF THE CITY OF MONROE

<u>Section</u>	<u>New or amended matter regarding:</u>
402.05	Bicycle
402.075	Chauffeured Limousine
402.09	Controlled-Access Highway
402.20	Motor Vehicle
402.21	Motorcycle
402.22	Motorized Bicycle or Moped
402.24	Pedestrian
402.275	Predicate Motor Vehicle or Traffic Offense
402.385	Shared-Use Path
402.39	Sidewalk
402.53	Vehicle
404.03	Road Workers, Motor Vehicles and Equipment Excepted
414.01	Obedience to Traffic Control Devices
414.10	Signal Preemption Devices; Prohibitions
432.07	Hazardous or No Passing Zones
432.13	Signals before Changing, Course, Turning or Stopping
432.22	Driving Upon Sidewalks, Tree Lawns, or Curbs
432.30	Stopping for School Bus; Actuating Visual Signals; Discharging Children
434.01	Driving or Physical Control of Vehicle While Under the Influence of Alcohol or Drugs
434.02	Reckless Operation on Streets, Public or Private Property
434.026	Immobilizing or Disabling Device Violation
434.03	Maximum Speed Limits; Assured Clear Distance Ahead
434.07	Street Racing Prohibited
436.01	Driver's or Commercial Driver's License Required
436.02	Possession of More Than One License Prohibited
436.035	Driving With Probationary License
436.04	Certain Acts Prohibited
436.071	Driving Under Suspension or in Violation of License Restriction
436.074	Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension
436.09	Display of License Plates; Registration; Obstructions
436.11	Stopping after Accident upon Streets; Collision with Unattended Vehicle
436.14	Removal of Vehicles after Accidents
438.10	Special Equipment for Slow Moving Vehicles, Farm Machinery and Animal Drawn Vehicles
438.18	Focus, Aim and Color of Headlights
440.05	Towing Requirements; Exception to Size and Weight Restrictions

<u>Section</u>	<u>New or amended matter regarding:</u>
440.11	Chauffeured Limousines
442.01	Definitions
442.07	Information Required of Prospective Drivers by Employers; Unauthorized Driving
452.01	Prohibition against Parking on Streets or Highways
452.03	Prohibited Standing or Parking Places
452.04	Manner of Parallel and Angle Parking; Handicapped Persons
452.05	Willfully Leaving Vehicles on Private or Public Property
452.06	Unattended Vehicles; Duty to Lock Ignition, Remove Key, Set Brake, etc.
452.07	Obstruction and Interference Affecting View and Control of Driver; Opening Doors on Side Available to Traffic
474.11	Operation of Motorized Bicycles
476.03	Code Application; Prohibited Operation
476.08	Registration of Vehicles
606.02	Culpable Mental States
606.06	Limitation on Criminal Prosecutions
606.07	Requirements for Criminal Liability; Voluntary Intoxication
606.10	Falsification
606.12	Failure to Report a Crime or Death
606.15	Obstructing Justice
606.19	Dereliction of Duty
606.24	Disposition of Unclaimed or Forfeited Property Held by Police Department
606.30	Self Defense: Limitations on Duty to Retreat Prior to Using Force
612.01	Definitions
612.07	Open Container Prohibited
612.09	Conveying Intoxicating Liquor or Cash onto Grounds of Detention Facilities or Other Specified Governmental Facilities
612.05	Cruelty to Animals; Cruelty to Companion Animals
624.01	Definitions
624.02	Trafficking in Controlled Substances; Gift of Marihuana
624.03	Drug Possession Offenses
624.04	Possession of Drug Abuse Instruments
624.05	Permitting Drug Abuse
624.07	Abusing Harmful Intoxicants
624.076	Possessing Nitrous Oxide in Motor Vehicles
624.08	Illegal Dispensing of Drug Samples
624.11	Double Jeopardy
624.12	Controlled Substance Schedules
624.13	Controlled Substance or Prescription Labels
624.14	Use or Possession of Paraphernalia
630.01	Definitions
630.02	Gambling in General
630.06	Responsibility of Charitable Organization Conducting Bingo Game
630.07	Maintenance of Records by Charitable Organizations

<u>Section</u>	<u>New or amended matter regarding:</u>
630.11	Raffle Drawings
630.12	Instant Bingo Other Than at Bingo Sessions
636.04	Aggravated Menacing
636.045	Menacing by Stalking
636.05	Menacing
636.08	Criminal Child Enticement
636.09	Coercion
636.10	Nonsupport of Dependents
636.11	Endangering Children
636.12	Interference with Custody
636.13	Contributing to the Unruliness or Delinquency of a Child
636.15	Threatening or Harassing Telecommunications
636.17	Domestic Violence
636.18	Safety of Crowds Attending Live Entertainment Performances
636.19	Hazing
636.20	Illegal Distribution of Cigarettes or Other Tobacco Products; Transaction Scans
642.01	Definitions
642.02	Theft
642.05	Unauthorized Use of Property
642.11	Criminal Mischief
642.12	Criminal Trespass
642.14	Passing Bad Checks
642.145	Forging or Selling Forged Identification Cards
642.18	Tampering With Records
642.19	Securing Writings by Deception
642.24	Determining Property Value in Theft Offense
642.33	Medicaid Fraud
648.08	Making False Alarms
660.03	Littering
660.07	Storage of Junk Vehicles
660.14	Smoking in Places of Public Assembly
666.03	Sexual Imposition
666.08	Soliciting
672.01	Definitions
672.02	Carrying Concealed Weapons
672.04	Improperly Handling Firearms in a Motor Vehicle
672.07	Unlawful Transactions in Weapons
672.10	Fireworks
672.17	Possession of an Object Indistinguishable from a Firearm in a School Safety Zone
672.18	Concealed Handgun Licenses: Possession of a Revoked or Suspended License; Additional Restrictions; Posting of Signs Prohibiting Possession
698.01	Definitions
698.02	Penalties for Misdemeanor



Application for a Planned Unit Development (PUD)

Monroe Development Department
233 South Main Street, Monroe, Ohio 45050
Phone: 513-539-7374
www.monroeohio.org

For Staff Use Only

Submittal Date:

Date Application Determined Complete:

Date of Planning Commission Review:

Fee Paid:

Staff Initials:

Application/Case Number:

Planned Unit Development Review Information

1. The review procedure, review criteria, and standards for planned unit developments are established in Chapter 1206 of the Monroe Planning and Zoning Code.
2. The PUD review procedure is a two-step process. The first step is the review and approval of a preliminary PUD plan that results in a zoning map amendment and the second step is the review and approval of a final PUD plan. This form shall serve as the application for a PUD zoning map amendment.
3. A pre-application conference is required prior to submission of an application for a zoning map amendment unless the Code Enforcement Officer waives the requirement. Contact the Development Department to set up a time.
4. The applicant shall be responsible for contacting the Development Department to set up a pre-application conference in advance of submitting this form and related information.
5. Unless an alternative timeline is approved by the Planning Commission, a final PUD plan must be submitted to the Development Department within one year of the approval of the preliminary PUD plan approval or the preliminary PUD plan approval will expire. See Section 1206.04 for additional information on timelines.
6. City Council maintains the authority to revoke a final PUD plan approval if construction does not begin within one year of the Council's approval of the final PUD plan. City Council is required to hold a public hearing prior to any revocation. See Section 1206.07 for additional information.
7. The application fee is due at the time the application is submitted and shall be \$500 for the review of a planned unit development.

Basic Information

Project Address: Entire Lot 4599 and Pt. Lot 4600

County: ☒ Butler ☐ Warren Total Area of Rezoning: 21 acres

County Tax Parcel ID: Parcels C1800-106-000-019 and -030

Existing Zoning District: C-PUD with an underlying zoning district of C-4 Gateway Commercial district

Proposed Zoning District: R-PUD with an underlying zoning district of R-4 Multi-Family Residential district

Applicant Information

Applicant Name: Park Place Development, LLC

Contact Person: Scott Willis

Contact Address: 5372 Cottage View Court, Liberty Township, Ohio 45011

Contact Phone Number: 513-675-6408

Contact Fax Number:

Contact E-Mail: kscottwillis@gmail.com

Property Owner Name: Shops of Monroe Crossings, LLC

The applicant may attach a separate sheet of a paper with contact information for additional people, if necessary (e.g., additional owners, registered engineer, landscape architect, etc.). The same contact information shall be provided for each contact name.

Planned Unit Development Information

1) Describe any change in conditions, trends, or other facts that necessitates the proposed zoning amendment. Furthermore, describe how the proposed zoning district will remedy the change in conditions, trends, or other issues.

Since the 2007 PUD approval for the Scops of Monroe Crossing Project, the original vision of the property, including retail and commercial, has not occurred even after extensive marketing efforts. The proposed 83 unit townhome project responds to the market demand that is also identified in the 2019 Monroe Comprehensive Housing Study and the recently updated 2021 Monroe Comprehensive Plan. Additional supporting rationale for this question is found in the attached Supplemental PUD Information Memo submitted by the Applicant.

2) Describe how the proposed amendment furthers the objectives of the comprehensive plan.

The proposed PUD amendment to the R-PUD zoning district designation supports numerous goals and objectives set forth in the 2021 Monroe Comprehensive Plan. The attached Supplemental PUD Information Memo details the ways in which this proposed amendment support and advance the Comprehensive Plan by adding a new high quality townhome residential product to the residential inventory available within the City.

3) Provide any additional information necessary to document how the proposed plans meet the review criteria established for PUDs in Section 1206.05(C) of the Monroe Planning and Zoning Code.

Please see the attached Supplemental PUD Information Memo for a detailed analysis of how this proposed PUD amendment to R-PUD supports both the 2019 Monroe Comprehensive Housing Study and the 2021 Comprehensive Plan goals and objectives relative to new multi-family residential housing within the City.

Project Address or Tax Parcel ID: Entire Lot 4599 and Pt. Lot 4600

Certification and Signatures

Applicant Signature - I certify that, to the best of my knowledge, the information contained in this form and within any attachments is correct and truthful. I understand that knowingly falsifying this information may be grounds for the denial or revoking of this PUD application and any subsequent zoning permit or other review applications.

Print Name: Park Place Development, LLC

Signature:

Date:

Property Owner Signature - If the property owner is not the named applicant on this form, the property owner shall sign the form below acknowledging that the applicant is an authorized agent of the property owner as it relates to proposed project. If the proposed PUD affects multiple properties owned by different property owners, each property owner subject to the PUD review shall be required to sign this form acknowledging consents of this PUD request. Separate signature sheets or letters acknowledging such consent are acceptable.

Print Name: William J. Brock, City of Monroe

Signature:

Date:

Note: A letter signed by the property owner, authorizing the applicant to act on their behalf may be submitted in lieu of the property owner's signature on this form.

Submittal Requirement Checklist

Submittals shall include 8 copies (minimum of 24" x 36") and 8 copies (minimum of 11" x 17") Additional copies may be required based on project specifics. Final mylars and digital Files will be required after approval.

General Information

☒	Completion of required pre-application conference
☒	Planned Unit Development Review Application Form
☒	Application fee
☒	Copies of the plans and maps established below at a scale no smaller than 1 inch = 100 feet, unless otherwise noted
☒	Traffic impact study, if required. See Section 1211.04
☒	Any additional information determined to be necessary by the Development Department

Vicinity Map (Scale may be smaller than 1" = 100')

☒	Date, north arrow, scale, and a legend for all symbols
☒	Identification of properties subject to the proposed rezoning
☒	All surrounding properties, streets, and corporation limits within a minimum of 500' of the outer boundaries of the project site

Preliminary PUD Plan and Map Amendment

☒	The existing and proposed zoning for all properties that are a part of this application for a PUD. The map shall also identify the existing zoning for all surrounding properties
☒	Existing streets within 200' of site with names and centerlines
☒	Existing watercourses and bodies of water including any applicable flood hazard areas
☒	A development plan with an appropriate scale, illustrating the proposed streets, internal circulation, sidewalks and trails, open spaces and related improvements, lots, land uses and related densities, for the entire PUD, regardless if the PUD will be developed in phases.
☒	A proposed schedule for completion of the project, including any phasing schedule, for submitting the final PUD plan(s)
☒	General illustrations of building elevations to demonstrate an understanding of the applicable architectural standards

Final PUD Plan

☐	A plan with subdivision level details illustrating the final lot layout, street information (e.g., width and access), sidewalks and trails, building footprints, and other information necessary to demonstrate that the final plan is in compliance with the approved preliminary PUD plan
☐	A copy of any deed restrictions or covenants that will apply to development in the PUD. Note: This submittal shall in no way imply a requirement for the city to enforce any of these private agreements
☐	Final building elevations for all buildings to be constructed. The applicant may submit a series of elevations to illustrate the architectural character and materials for any residential product

