Council President Kincannon called the Council Meeting to order at 7:33 p.m. After the recitation of the Pledge of Allegiance, roll call was taken with Flynn, Price, Gregory, Kincannon, Dill, and Karpinski present.

**Motion by Karpinski which was seconded by Dill,** to approve the minutes of the January 12, 2023, Committee of the Whole meeting; 6 yeas; motion passed.

**Motion by Gregory, which was seconded by Dill,** to approve the minutes of the January 12, 2023, Council meeting; 6 yeas; motion passed.

***Old Business:***

Flynn went through the design review file for the apartments. Streets need to be cleaned daily or more. Boring under the road is not noted in the design review. Three items need to be completed before starting construction including the contractor budget / performance bond, which is being worked on by Doug Nusser of Kleinfelder (formerly Poggemeyer).

Flynn also asked about the property that McConnell intended to buy. Solicitor Clark indicated that after a neighboring McConnell property is sold that we will work with the new owner to assign the sale of the village property to them.

***New Business:***

**Ordinance 2022-2481** --- AN ORDINANCE AMENDING CHAPTER 1341 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF LAGRANGE --- This concerns updates to the property maintenance code. This was the second reading.

**Ordinance 2023-2485** --- AN ORDINANCE AMENDING SECTION 929.02 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF LAGRANGE TO PROVIDE FOR AN INCREASE IN SEWER RATES AND DECLARING AN EMERGENCY --- **Karpinski motioned to suspend the rules, which was seconded by Dill**; 6 yeas; motion passed. **Karpinski motioned to adopt and declare an emergency; Flynn seconded**; 6 yeas; motion passed.

**Ordinance 2023-2486** --- AN ORDINANCE AMENDING SECTION 951.02 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF LAGRANGE AND DECLARING AN EMERGENCY --- This concerns trash rates. **Karpinski motioned to suspend the rules, which was seconded by Gregory**; 6 yeas; motion passed. **Karpinski motioned to adopt and declare an emergency; Gregory seconded**; 6 yeas; motion passed.

**Ordinance 2023-2487** --- AN ORDINANCE made PURSUANT TO THE AUTHORITY OF SECTION 125.04 OF THE OHIO REVISED CODE, AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH VALLEY CHEVROLET OF WELLINGTON OHIO FOR THE PURCHASE OF A new 2022 CHEVY SILVERADO 3500HD service body truck, VIN 1GB5YSE78NF294126 AND DECLARING AN EMERGENCY --- **Karpinski motioned to suspend the rules, which was seconded by Dill**; 6 yeas; motion passed. **Karpinski motioned to adopt and declare an emergency; Dill seconded**; 6 yeas; motion passed.

**Resolution 2023-984** --- A Resolution to Authorize the Village Administrator to Enter into a Memorandum of Understanding Between the Village of LaGrange, Lagrange Township, and North Pointe Lagrange, LLC Relating to a Proposed Annexation and Declaring an Emergency --- **Karpinski motioned to suspend the rules, which was seconded by Dill**; 6 yeas; motion passed. **Karpinski motioned to adopt and declare an emergency; Price seconded**; 6 yeas; motion passed. This is the former Forbush farm that is located across from Dollar General and is located in the township and village. Rich Beran from North Pointe was in attendance and spoke with council. The lift station will be maintained by the village after the developer dedicates it to us. Solicitor Clark mentioned that it could be an issue if the lift station is located in the township instead of the village. Beran may adjust his plans accordingly.

**Site Plan Approval Request for Extension of Time:** Jason Scott of North Star Builders / Cedar Creek Apartments / Grey Hawk Development was in attendance and requested an extension of time for site plan approval of the apartments. He did not realize the expected timeline and requested a 2.5-year extension. The project was to be substantially complete by February 11, 2022. Price indicated that the last planning commission meeting discussed this and was in favor of approving a 2-year (not 2.5-year) extension. **Karpinski motioned to accept the planning commission’s recommendation to grant the extension until February 11, 2024; Gregory seconded;** 5 yeas; Flynn abstained; motion passed.

***Audience Participation:***

Therese Robinson Medell and Bill Fletcher both of Walcutt Court (817 and 811) spoke about flooding issues at their townhomes. Medell’s basement flooded recently and flooded 2.5 years ago. Council was aware of a frozen plug on the leg between holes 14 and 15 on the golf course that affected the water level in the lake. Because the issue(s) in question is on private property, it is a civil matter that does not involve the village.

Mr. Fletcher asked if the sewer system can handle the upcoming new construction. Council indicated that Kelner Ditch is where the storm water goes. The overgrowth needs to be addressed. This is an upcoming storm water project with the county, which should be done in 2024. Additionally, folks with retention ponds need to maintain their properties.

***Mayor’s Report:***

Council President Kincannon shared the following:

1. The Fiscal Officer will provide an update on the Auditor’s report and her response to it.
2. During this evening’s Committee of the Whole meeting, we discussed the square.
3. Jim Lucas’ thinks he only has $200 sanitary and storm sewer tap-in fees on his property on Loperwood. The easement does not involve the village.

***Police Chief’s Report:***

Chief Laubenthal reported on the following:

1. Two months of stats are due. Unfortunately, 2 serious calls this evening interrupted preparation of these reports.
2. We lost a part timer and a full timer. Additionally, we are ironing out some internal issues. Area departments who pay more also are struggling with staffing.
3. The recent neighborhood meeting resulted in 3 to 5 calls per week to none.
4. We are looking at approximately $60,000 for a new police vehicle at state bid pricing. A 2023 Ford Explorer costs approximately $55,000. It will cost another $5,000 or so for upfitting (light bar, radio, etc.). After the vendor is determined, an ordinance will be drafted.

***Solicitor’s Report:***

Solicitor Clark reported on the following:

1. Clark is working on a draft joint resolution for the park board stipend. Clarification was needed on if there were 5 or 7 board members. The proposed $40 per member per meeting stipend would be split 50/50 with the township. The park bylaws also will need to be updated. Clark will forward the draft document(s) to Homer-Miller to forward to the township trustees.
2. Clark wants to meet with Kincannon, Gates, and Keystone’s superintendent and attorney to work through misunderstandings then report back to council. The meeting will take place on February 14th between 12:00 p.m. and 2:00 p.m.
3. Some of the open items on which Clark is working include
   1. A records commission meeting is needed. We should meet twice a year. Gates will join the records commission because a resident must be a member.
   2. Clark will draft rules for council that are outside of Roberts Rules.
4. We need to confirm Chief Laubenthal at an upcoming meeting following a report of his performance by the mayor / acting mayor.

***Village Administrator’s Report:***

Village Administrator Gates reported on the following:

1. The annual tests on our fire extinguishers was completed by Romco.
2. Council was provided with the 5-year plans for the wastewater treatment plant and maintenance department including purchase of a 2022 Chevy 3500 HD Silverado service truck (ordinance 2023-2487).
3. We received the final judgment to clean up 410 North Center Street. The cleanup will start soon.
4. Council was given a copy of an analysis our engineer did for Water and Wastewater Development Fee Adjustment for consideration of raising our tap-in fees for new construction. The study shows the Construction Cost Index has increase 210%, and the Consumer Price Index has increase 168% since 2001 when our rates were passed. Our Storm tap-in fee was established in 1983 and has not been raised since it was established 50 years ago. With the proposed new developments, there may be a need to upgrade some of our current infrastructure where they are tying in at. Rural Water charges $4,000 per tap. LORCO charges $8,000 per tap. Our Engineer feels the study would support the Village raising the water tap-in fee to $3,000 per tap, $3,500 per tap for sanitary, and $750 per tap for storm. Flynn asked if developers would pay these fees, which is the case. Clark will prepare an ordinance for the next council meeting, which will include the bentonite damn requirement and location.

***Fiscal Officer’s Report:***

Fiscal Officer Homer-Miller reported on the following:

1. The audit of our 2020 & 2021 financials is complete. Copies of the findings were included in your meeting packets along with our response to the findings.
2. Homer-Miller needs to get back to the April 2022 reconciliation so that she can move on to the other months and ultimately close 2022. W-2s and 1099s were distributed on January 31, 2023. The first quarter will continue to be incredibly busy with closing 2022.
3. Meeting packets included information on
   1. community shredding events with the county solid waste district, and
   2. Columbia Gas planning to file an application asking the Public Utilities Commission of Ohio to establish a Pipeline Hazardous Materials Safety Administration Infrastructure Replacement Program rider.
4. The Ohio Bureau of Workers’ Compensation approved an average public-employer rate cut of 2.5 percent. The cut of 2.5 percent follows single- to double-digit decreases over the last 9 years, except for increases of 6.1 percent in 2019 and 2.2 percent in 2022.
5. We finally received a response from the IRS concerning period ending September 30, 2020. The IRS list of late filings does not correspond to our records. Homer-Miller will appeal it again.

***Committee Reports*:**

1. Park Board – No report.
2. Planning Commission – This was covered earlier under the Site Plan Approval section.
3. LCIC – We need to schedule an organizational meeting – possibly before our next council meeting.

***Presentation of Bills:***

The Fiscal Officer presented the list of warrants and electronic payments issued between January 13 and February 9, 2023, totaling $406,875.95 per the payment listing provided. **Gregory motioned to accept, which was seconded by Karpinski**; 5 yeas; motion passed.

There being no further business, **Karpinski motioned to adjourn, which was seconded by**

**Price**; 5 yeas; motion passed. Adjourned at 8:43 p.m.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Attested by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kim E. Strauss, Mayor Christie Homer-Miller, Fiscal Officer

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_