Mayor Kincannon called the Council Meeting to order at 7:30 p.m. After the recitation of the Pledge of Allegiance, roll call was taken with Flynn, Price, Gregory, Karpinski, Dill, and Honer present.

**Motion by Gregory, which was seconded by Karpinski,** to approve the minutes of the August 10, 2023, Council meeting as written; 6 yeas; motion passed.

***Public Participation:***

N/A

***Mayor’s Report:***

Mayor Kincannon shared the following:

1. We now have .gov email addresses. A set-up session will be held before September’s Committee of the Whole meeting at 6:30 p.m. on the 14th.
2. A shred event will be held on Saturday, October 7th, from 9:00 a.m. to 12:00 p.m. or until the truck is full.
3. The mayor and administrator plan to attend the elected officials’ reception on Wednesday, October 30th from 4:30 p.m. to 6:30 p.m. There is no charge for elected officials. It costs $27 for others. **Motion by Honer, which was seconded by Dill** to spend $27 for Administrator Gates to attend the event with the mayor; 6 yeas; motion passed.
4. Unfortunately, the school resource officer (SRO) agreement was not on Keystone’s August 21st board of education agenda. Consequently, we do not have a signed agreement. However, the treasurer and superintendent both have indicated via email that they accept and will pay the new rates. **Motion by Karpinski, which was seconded by Gregory** to extend the terms of the memorandum of understanding (MOU) until the MOU agreement is signed at the agreed-upon rates; 6 yeas; motion passed. This will result in Officer Hendershot being onsite at Keystone on August 30th before the amended agreement has been signed by Keystone. However, this will be voted on at Keystone’s September 13th board meeting.
5. We met with Keystone’s attorney, superintendent, and treasurer on Friday, August 11th. Most of the Village representatives felt that progress was made. Keystone did not oppose installation of an electric meter for the gym or for them to maintain the access road to the bus garage. They do not want to take full responsibility of the football field. Keystone wants to do more research on the natural gas percentage and on the football field. Kincannon asked them to clean up the bus garage area and has noticed that cleanup has occurred including removal of tires. Karpinski’s letter was not distributed to school board members or to anyone else at the August 21st Keystone board meeting. Karpinski asked for input from the other council members. Solicitor Clark mentioned that we currently do not have a policy on who speaks on behalf of the Village but should. Clark encouraged council to add a spokesperson policy to the council meeting rules. He will draft something for council’s review. Flynn thought the meeting went well with electric, natural gas, and the access road as the primary points. He indicated that the additional 7% equates to approximately $500 per year. Flynn feels that the bus drivers will put enough pressure on the school board to resolve the access road issue. Price asked about splitting the cost of the access road work as it has not been voted on. Both Kincannon and Clark stated that it would be pending council approval. Kincannon said that was part of the meeting discussion (i.e., any agreement would be pending approval of village council and the board of education). A timeline for resolution of the items was not established. Karpinski suggested that if there were a cost split that it should be based on percent of use. Personal vehicles driven by the quilters, members and visitors of the historical society, visitors to the senior center, etc., weigh significantly less than the buses that drive on the access road multiple times a day during the school year. Clark indicated that the utility split is not ambiguous like the access road. It was decided to wait for a response from the district before determining next steps.

***Police Chief’s Report:***

Chief Laubenthal reported on the following:

1. The following occurred between July 27th and August 23rd:
   1. There were 34 non-criminal requests for assistance.
   2. There were 14 criminal complaints / investigations - 2 felonies; 0 misdemeanors; 0 juvenile charges. They included 1 unauthorized use of a motor vehicle, 1 felony theft, 1 pedestrian in roadway, 1 soliciting / peddling without a permit, 2 criminal trespass, 1 possession of marijuana, 4 animal complaints, 1 fraud, and 2 juvenile curfew.
   3. There were 57 traffic-related incidents including 3 crash investigations, 4 operating and equipment charges and 32 warnings (e.g., expired plates, broken / out lights, etc.).
   4. There were 3 parking violations issued and 9 warnings.
2. Some residents are baiting officers by parking in cul-de-sacs to see who will get cited.

***Solicitor’s Report:***

Solicitor Clark will share his abstention research with council members so they will have more information concerning council meeting rules. He indicated that Roberts Rules considers an abstention as a no vote, which varies from the court’s interpretation.

***Village Administrator’s Report:***

Village Administrator Gates reported on the following:

1. We fixed a water leak on West Main Street.
2. We are getting quotes for the repairs to the lift stations at US Grant, Manassas, and the wastewater treatment plant.
3. Council has been given a copy of Rafter A’s engineered plan for the Commerce Drive East ditch along with earthwork totals. There is one business for which we have to consult with the EPA before the ditch can be designed to work for their property. Gates will have in her office tomorrow a full set of scaled plans of what currently is there and the design plan for anyone wanting to review them.
4. Gates was contacted by our EPA representative from the Division of Surface Water. They have referred the illicit discharge from the company on Commerce Drive West to their attorney.
5. We recorded 3.5 inches of rain in a 24-hour period at the wastewater treatment plant. We had flooding from the significant rain event on Commerce Drive East & West, Taylor Boulevard, and US Grant Street.

Kincannon asked about the cupolas on the apartments. He feels they are too tall. Flynn asked if they were part of the drawings. We have to look at the originally submitted drawings that were approved by the Planning Commission.

Honer asked about retention basins. Clark indicated that there is a provision in the Ohio Revised Code (ORC) where the Village can remove obstructions. Additionally, the nuisance ordinance can cover this. Clark suggested that we have an ordinance indicating property owners maintain their retention areas. He will draft an ordinance for the next meeting.

***Fiscal Officer’s Report:***

Fiscal Officer Homer-Miller reported on the following:

1. Earlier this week I emailed information to you from the Regional Income Tax Agency (RITA) that they were sending approximately 542 administrative subpoenas to taxpayers who neglected to file municipal income tax returns for the Village. This is a follow up to the non-filing notices RITA sent in July to approximately 791 non-filers; it gave them an opportunity to respond before subpoenas were issued.
2. Your meeting packets included:
   1. Mayors, city managers (assuming this includes administrators), village council members, road department employees, and safety personnel are required to complete IS-700.A, National Incident Management System (NIMS), An Introduction.
   2. The Ohio Municipal League (OML) Annual Conference will be held October 18 – 20, 2023, at the Renaissance Columbus Downtown Hotel. Costs vary based on early bird pricing and/or number of days. Registration and payment are due on October 11, 2023. Homer-Miller asked the mayor and council members to let her know if they plan to attend.
   3. The OML recently provided information on the Local Government Fund (LGF) that Homer-Miller thought would be beneficial to council members.
   4. The Center for Public Investment Management (CPIM) is hosting a “Leadership in Public Finance and Economic Development” course in Columbus on October 26, 2023, that Homer-Miller would like to attend. The cost for the course is $100. Lodging (one night) and mileage are additional. **Motion by Karpinski, which was seconded by Flynn**; 6 yeas; motion passed.
3. The annexation paperwork for the former Forbush farm has been filed with the county and distributed to the Lorain County Board of Elections, Ohio Secretary of State, as well as to the developer and their attorney.
4. Homer-Miller plans to put together a packet for new council members.  It will include the recently passed rules of council meetings, contact information for various village personnel, information on the local government fund, required trainings, and village officer’s handbook.  She asked for suggestions for additional items to be included. Karpinski mentioned having an acronym cheat sheet (e.g., COW, OPWC, ORC, SRO, etc.).

***Old Business:***

**Ordinance 2023-2507** --- AN ORDINANCE TO AUTHORIZE THE PURCHASE OF AN EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE INSURANCE POLICY IN LIEU OF INDIVIDUAL SURETY BONDS --- This was the third reading. **Motion by Karpinski, which was seconded by Price,** to adopt; 6 yeas; motion passed.

**Ordinance 2023-2508** --- AN ORDINANCE AMENDING SECTION 351.99 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF LAGRANGE ESTABLISHING PENALTIES FOR PARKING VIOLATIONS --- This was the third reading. **Motion by Karpinski, which was seconded by Dill,** to adopt; 6 yeas; motion passed.

***New Business:***

**Resolution 2023-999** --- A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT AND DECLARING AN EMERGENCY --- This was the first reading.

**Resolution 2023-1000** --- A RESOLUTION TO ADOPT THE FEDERALLY APPROVED LORAIN COUNTY 2022 HAZARD MITIGATION PLAN AND DECLARING AN EMERGENCY --- **Motion by Karpinski to suspend the rules, which was seconded by Gregory**; 6 yeas; motion passed. **Motion by Karpinski to adopt and declare an emergency, which was seconded by Gregory**; 6 yeas; motion passed.

***Miscellaneous Business:***

Flynn asked to discuss at our next COW meeting how we get money for streets. Discussion was had on Ohio Public Works Commission (OPWC) funds for street projects like Railroad Street. The money has to be funded before OPWC projects are bid. Traffic volume is a determinate in grant eligibility. For example, Union Street has minimal traffic while Railroad Street has commercial and residential traffic. Therefore, Railroad Street scored higher than Church, Loperwood, and Union would score. We are behind on street projects due to focus having been on the municipal building over the last 5 years. Typically, OPWC projects are a 2-year process. To do more street projects, it may be necessary to put a road levy on the ballot. Funding for street projects will be a discussion topic for the September Committee of the Whole meeting.

***Committee Reports*:**

1. Park Board – Park board members attended the August 21st Keystone school board meeting. They asked Keystone for $7,500 per year and presented the associated costs to the school board. The superintendent gave them a $3,000 check as that is what they previously decided on. The park board should invoice Keystone $4,500. Price asked if there are any candidates to replace Roger Kuhl when he becomes a Lagrange Township Trustee on January 1, 2024. Kincannon indicated that there are not any candidates right now.
2. Planning Commission – No meeting; no report.
3. LCIC – No meeting; no report.

***Presentation of Bills:***

The Fiscal Officer presented the list of warrants and electronic payments issued between August 11 and 24, 2023, totaling $165,137.13 per the payment listing provided. **Dill motioned to accept, which was seconded by Gregory**; 6 yeas; motion passed.

There being no further business, **Honer motioned to adjourn, which was seconded by Price**; 6 yeas; motion passed. Adjourned at 8:34 p.m.

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

Gary Kincannon, Mayor Christie Homer-Miller, Fiscal Officer