



Village of Montpelier

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Notice:
Masks Optional

AGENDA NO. 2 - 2024

Agenda for Monday, January 22, 2024

Regular Meeting – 6:00pm at the Montpelier Police Department

1. Call to Order
2. Roll call
3. Prayer
4. Pledge of Allegiance
5. Approve the Agenda for January 22, 2024 (Motion)
6. Approve the Minutes from January 8, 2024 Council Meeting (Motion)
7. Comments from Audience
8. Comments from Council/Committee Reports
9. Approve 2024 Fire Contract for Jefferson Twp in the amount of \$47,289.32 (Motion)
10. Ordinance 2271 Limiting Adult Use Cannabis Operators, Cultivators, and Dispensaries (Second Reading)
11. Village Manager's Report
12. Adjourn



VILLAGE OF MONTPELIER COUNCIL MEETING

MONTPELIER, OHIO

JANUARY 8, 2024

Call to Order

Mayor Steve Yagelski called the meeting for the Montpelier Village Council to order at 6:00pm on Monday, January 8, 2024.

Clerk of Council Molly Collert administered the Oath of Office to Mayor Steve Yagelski.

Clerk of Council Molly Collert administered the Oath of Office to council members Nathan Thompson, Chris Kannel, and Don Schlosser.

Roll Call

Roll call was conducted with the following Council members in attendance: Mrs. Heather Freese, Mr. Don Schlosser, Ms. Melissa Ewers, Mr. Kevin Motter, Mr. Chris Kannel and Mr. Nathan Thompson.

Prayer/Pledge

Pastor Janice Desterheft offered a Prayer, followed by those in attendance reciting the Pledge of Allegiance.

Agenda 01/08/2024

Mrs. Heather Freese moved, and Mr. Chris Kannel seconded a motion to approve the agenda for January 8, 2024 Vote on motion: All ayes

Minutes 12/18/2023

Mr. Don Schlosser moved, and Ms. Melissa Ewers seconded a motion to approve the minutes with the change from the December 18, 2023, council meeting. Vote on motion: All ayes

December 2023 Financials

Mrs. Heather Freese moved, and Mr. Chris Kannel seconded a motion to approve the December 2023 financial reports. Vote on motion: All ayes

Welcome

Mayor Steve Yagelski welcomed the high students in attendance and encouraged the attendees to ask questions. Steve Yagelski welcomed the new law director Bob Bohmer and had everyone introduce themselves.

Council Comments

Mrs. Heather Freese would like Mayor Steve Yagelski to consider having one or two permanent members of committees due to the longevity of projects. Mayor Steve Yagelski will take this into consideration for 2025.

Mr. Nathan Thompson stated the Economic Development Strategy met and discussed that the Personnel, Safety, and Community Engagement Committee should consider a Public Safety Levy. The committee would like to talk to the departments for financial needs for the next 10 to 15 years. The levy has been discussed before.

Mr. Kevin Motter reported that the Planning and Zoning approved the Comprehensive Plan to the full council. Also, the Planning and Zoning approved to waive and reimburse fees for the lot split for the Port Authority on Linden.

2024 Council President

Mayor Yagelski recommended that Kevin Motter be named Council President for 2024.

**2024 Committees
and Boards**

Mr. Don Schlosser moved and Mr. Nathan Thompson seconded a motion to appoint Kevin Motter as President of Council for 2024. Vote on motion: 4 ayes 1 nay Ms. Melissa Ewers abstained.

Mayor Yagelski presented the 2024 Council Committees, Commissions, and Boards.

Mr. Kevin Motter moved and Mrs. Heather Freese seconded a motion to approve the 2024 Committees, Commissions, and Boards as presented. Vote on motion: All ayes

**Comprehensive
Plan**

Jason Rockey stated that the Planning and Zoning Commission approved to complete a Comprehensive Plan with Orchard, Hiltz and McCliment, Inc (OHM) and then handing it off to Council to approve.

Mr. Chris Kannel stated that he is excited to finally have new Comprehensive Plan and to have it be user friendly, and address problems with solutions.

Mr. Chris Kannel moved and Mr. Don Schlosser seconded a motion to enter into a contract with OHM for a comprehensive plan for the Village. Vote on motion: All ayes

**Donation of VHF
Radios**

Jason Rockey stated that Chief Dan McGee would like to donate five (5) VHF radios to Willimas County Engineers Office since the Police Departments is using Marcs Radios now.

Mr. Kevin Motter asked if the Village would need the radios to communicate within the Village. Jason Rockey stated that the County has convicted to Marcs and no longer supports VHF radios and they could wait to see what Chief Dan McGee said. Ms. Melissa Ewers asked if the Village has any more radios. Jason Rockey stated that the Fire Department has a number of them if the Village would ever have a use for them.

Mrs. Heather Freese moved and Mr. Kevin Motter seconded a motion to donate five (5) VHF radios to Williams County Engineers Office. Vote on motion: All ayes

**Resolution 1388 –
Amended
Appropriations**

RESOLUTION 1388

**A RESOLUTION TO AMEND APPROPRIATIONS FOR CURRENT
EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF
MONTPELIER, STATE OF OHIO DURING THE FISCAL YEAR
ENDING DECEMBER 31, 2024**

Nikki Uribes presented Resolution 1388 to Council and requested to suspend and pass. Nikki Uribes stated that there was one change since the packet went out which was \$5,000.00 for recording the sewer lines for the lead service project. The amended appropriations are carried forward purchase orders, and things that were in the budget but never got a purchase order.

**Resolution 1388 –
Motion to
Suspend
Three
Readings Rule**

Mr. Nathan Thompson moved, and Ms. Melissa Ewers seconded a motion to suspend the rules requiring three separate readings of Resolution 1388. Roll call on motion: Mr. Don Schlosser, yes; Mr. Nathan Thompson, yes; Mr. Chris Kannel, yes; Mrs. Heather Freese, yes; Ms. Melissa Ewers, yes, and Mr. Kevin Motter, yes.

Resolution 1388 was read by title.

**Resolution 1388 –
Motion to Pass**

Ms. Melissa Ewers moved, and Mr. Chris Kannel seconded a motion to pass Resolution 1388. Roll call on motion: Mrs. Heather Freese, yes; Mr. Nathan Thompson, yes; Mr. Don Schlosser, yes; Mr. Chris Kannel, yes; Mr. Kevin Motter, yes; and Ms. Melissa Ewers, yes.

Resolution 1388 passed.

**Ordinance 2271 –
Limiting Cannabis**

ORDINANCE 2271

**AN ORDINANCE LIMITING ADULT USE CANNABIS OPERATORS,
ADULT USE CULTIVATORS, AND ADULT USE DISPENSARIES
WITHIN THE VILLAGE OF MONTPELIER, OHIO**

Jason Rockey presented Ordinance 2271 to the Council. Jason Rockey stated that this is something the Economic Development Strategy Committee wanted to bring to Council. With the passing of Issue 2, the Ordinance that the Village has is now out of date. Law Director Bob Bohmer updated the old Ordinance, and it is now up to the Council how to proceed.

Mr. Kevin Motter feels that the proposed Ordinance does not go far enough. Mr. Kevin Motter would like to see the dispensing of cannabis illegal inside the Village and make it illegal to use on Village property and public spaces. Mrs. Heather Freese disagrees, saying that would be too much to keep up with. Mrs. Heather Freese stated that she sees tobacco users smoking all over Village property and throwing their butts wherever they please. Mrs. Heather Freese thinks that the Village should not have an Ordinance against cannabis at all. Mr. Nathan Thompson asked for all sections. Mrs. Heather Freese asked if there was an Ordinance against alcohol. Mr. Kevin Motter stated that there is, and it would be public consumption. Mr. Chris Kannel stated that Village would have to make a DORA district to be able to drink outside in public. Mr. Kevin Motter stated that cannabis is no different than alcohol from personal experience which can create social ill that the Village does not need. Mr. Kevin Motter contacted the Election Board and Issue 2 only passed by 60 votes in Montpelier, so many voters do not want cannabis inside the Village. Mr. Kevin Motter feels that allowing cannabis does not go along with the plans Village has for the future. Mr. Kevin Motter knows that the Village cannot limit residents from purchasing cannabis someplace else and the private cultivation of cannabis. Ms. Melissa Ewers attended a webinar, and it was about how cannabis will be regulated like alcohol, which would make it illegal to drive or walk around in public. Mrs. Heather Freese stated that alcohol is different and has to go on the ballot to sell in an area. Mrs. Heather Freese stated there are no probation laws for cannabis. Ms. Melissa Ewers stated that she understands but would like to update what the Village has had in place and not make it illegal all around. Mr. Don Schlosser stated that he has been around people who are on cannabis, and it is different than alcohol. Mayor Steve Yagelski stated

that this is a touchy subject, and the original Ordinance was created to keep cannabis out of the Downtown area, away from churches, schools, and parks. Mayor Steve Yagelski stated that the only place that a cannabis shop can be is in the industrial park. Mayor Steve Yagelski stated that this will not be solved in one night, and it's up to the council if they want to vote on this or have a first reading. Mr. Chris Kannel stated the Village is proactively working to make Montpelier better but should not be in the business of prohibiting residents, and the Village should have a place where this can take place while also continuing to improve Montpelier. Ms. Melissa Ewers asked if the only place that cannabis could be is the industrial park. Mr. Chris Kannel stated yes that is only place.

**Ordinance 2271 –
First Reading**

Ms. Melissa Ewers moved, and Mr. Chris Kannel seconded a motion to give Ordinance 2271, a first reading. Vote on motion, 4 ayes, and 2 nays

Ordinance 2271 was read by title.

**Income Tax Report
October**

Nikki Uribes reported income tax collections at the end of December 2023 as \$2,290,588.96 as compared to \$2,503,610.23 and \$2,243,131.34 in 2022 and 2021, respectively. This is down 8.51% from 2022 and up 2.12% from 2021.

Manager's Report

Mr. Jason Rockey presented the Village Manager's report. The following points were noted:

- Friday, January 5, 2024, Jason Rockey submitted an electric project to AMP for the Grid Grant Application. This grant is submitted to the Department of Energy for the Grid Reliance and Innovation Partnership. This grant application takes projects all over AMP's footprint and combines them all into one. The Village would not get the funding until 2025. The project the Village submitted is upgrading everything North of Snyder, including Snyder, Morris, and Iuka. While upgrading for the new subdivision on the south side of town, the Electric Department discovered a conductor was brittle and needed to be replaced. The conductor was installed during the same time frame as the conductor on Snyder. So, the Electric Department decided that the conductor on Snyder should be replaced and submitted this project for the grant. The new transformers will be smaller and will not have live voltage right when the transformer is opened. This project will cost about \$450,000.00, improve safety, make it a loop system, and improve efficiency.
- Crosswalk Lights were delivered and will be installed downtown at Main and Empire, in front of the Library, and at Lincoln and Main.
- Justin Houk updated Council on Ironhorse River Trail. The piers have been delivered and will not be installed until the weather is suitable. Started working on ripping out concrete and working on drainage. They were hauling mulch from Archbold and the Village's pile to not make holes and ruts with the machinery.
- Chief Dan McGree informed Jason Rockey today that Tyler Gorsuch and K9 Knox are now certified. It was important to the whole department to keep K9 Knox in service, and thanks to the department for filling in when they were short-handed. Congratulations to Tyler Gorsuch, K9 Knox, and the whole department.



Ms. Melissa Ewers would like Tyler Gorsuch and K9 Knox at a council meeting. Jason Rockey stated that he will tell Chief Dan McGee.

Adjourn

There being no further business to come before Council, Mrs. Heather Freese moved, and Mr. Chris Kannel seconded a motion to adjourn at 6:45 pm. Vote on motion: All ayes

Clerk of Council

Mayor Steve Yagelski

**FIRE CONTRACT – 2024
(ORC 9.60)**

JEFFERSON TOWNSHIP

This Agreement made and entered into this _____ Day of _____, 2023 by and between the VILLAGE OF MONTPELIER, OHIO hereinafter called the "VILLAGE", and the JEFFERSON TOWNSHIP, Williams County, Ohio, hereinafter called the "TOWNSHIP".

WITNESSETH:

Whereas, the Council of the Village and Trustees of the Township have determined to enter into this agreement providing for furnishing fire protection to the Township and inhabitants thereof commencing on January 1, 2024 to December 31, 2024.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

For and in consideration of the mutual promises and covenants contained herein, and for other good and valuable considerations, the parties entered into this contract for fire protection and all fire department related services, for that portion of the Township of Jefferson, Williams County, Ohio, commencing at a point where the centerline of County road 13 intersects with the intersection of County Road J, thence running east along the centerline of county Road J to the centerline of County Road 16, thence running north along the centerline of County Road 16 to the centerline of County Road M, thence running West along the centerline of County Road M to the centerline of County Road 15, thence running North to the Jefferson and Madison Township Boundary, thence running west to the centerline of County Road 13, thence running south along the centerline of County Road 13 to the point of origin; that portion of the Ohio Turnpike starting at County Road 13, thence running East to County Road 16 is included in and part of this Agreement.

The Village agrees to furnish, at its own expense throughout the territory described above, the use of existing fire equipment of the type needed to handle the type of fire to be brought under control, together with the services of enough personnel from the Montpelier Fire Department to operate said equipment when the same may be needed within the said Township. Additional units of fire equipment will be furnished for fire calls where in the judgment of the Fire Chief or other officer in charge of call determines that additional equipment is needed to control and extinguish the type of fire that exists. The "Jaws of Life" unit shall be considered a unit of equipment for this and for charging purposes.

For the year January 1, 2024 through December 31, 2024 the Township Trustees agree to pay to the Village for above services and the use of said fire equipment and manpower, the sum of forty-seven thousand two hundred eighty-nine dollars and thirty-two cents (\$47,289.32) Percentage of Runs Charge, for year 2024 for Fire Department coverage within said Township.

The runs for 2024 fees were calculated less the cancelled runs to the area of the Turnpike which are, zero (0) for 2018, one (1) for 2019, zero (0) for 2020, two (2) for 2021 and six (6) for 2022. For this contract the Township shall pay a flat fee of five hundred dollars (\$500.00) for each and any cancelled run only to the area on the Ohio Turnpike that this agreement covers. The year of 2022 also had zero (0) no charge runs. This component of the agreement shall be reviewed by the Council of the Village of Montpelier per the motion passed on December 23, 2008. Council's motion was "...to set in place for a five-year period of time unless a review of costs is requested by either party." The above amounts having been calculated using a five (5) year average of percentage of runs times expenses. It is further agreed that these flat annual fees place no limit on the number or length of time of fire calls within said Township. Payment of these fees shall be made to the Director of Finance of the Village of Montpelier on a quarterly basis as billed by said Director of Finance.

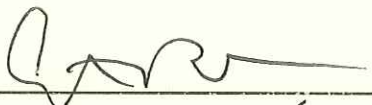
It is further agreed by and between the parties that nothing in this agreement shall be construed to give said Trustees any exclusive right in or to the use of services of said equipment to be provided, and further, nothing in this agreement shall be construed in any way to limit the right of the Village to the use and services of said equipment and manpower within the Village of Montpelier, nor limit the rights of said village to make similar agreements with other political subdivisions as to the same equipment and manpower. In the event of simultaneous calls, the call from within the Village of Montpelier shall receive preference; otherwise, all other calls received by the Montpelier Fire Department shall be answered with the equipment and manpower as stated as promptly and reasonably as is possible in the order in which they are received.

This agreement is entered into in accordance with the provisions of Section 9.60 of the Revised Code of Ohio, and shall be effective immediately upon its execution by the duly authorized elected or appointed officers of said political subdivision.

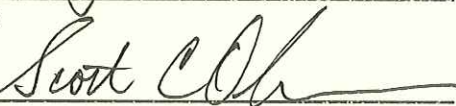
IN WITNESS WHEREOF, the said parties have caused their names to be subscribed hereto by their proper officers duly authorized in the premises on the day and year first above written.

TRUSTEES OF JEFFERSON TOWNSHIP

VILLAGE OF MONTPELIER


Trustee

Village Manager


Trustee


Trustee

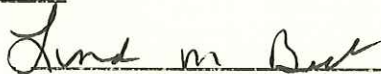
Approved by the Montpelier Village Council by motion duly passed on

The ____ day of _____, _____

Clerk of Council

Approved by the Township Trustees by motion duly passed on

The 2nd day of January, 2024


Fiscal Officer

ORDINANCE 2271

AN ORDINANCE LIMITING ADULT USE CANNABIS OPERATORS, ADULT USE CULTIVATORS, AND ADULT USE DISPENSARIES WITHIN THE VILLAGE OF MONTPELIER, OHIO

WHEREAS, on November 7, 2023, Ohio voters approved State Issue 2 legalizing recreational cannabis in Ohio;

WHEREAS, Chapter 3780 - Adult Use Cannabis Control - became effective on December 7, 2023;

WHEREAS, newly enacted section 3780.25 of the Ohio Revised Code authorizes a municipal corporation to prohibit or limit adult use cannabis operators permitted under Chapter 3780 of the Ohio Revised Code within the municipal corporation.

WHEREAS, pursuant to newly enacted section 3780.01(A)(2) of the Ohio Revised Code, “adult use cannabis operator” means a level I adult use cultivator, a level II adult use cultivator, a level III adult use cultivator, an adult use processor, and an adult use dispensary.

WHEREAS, the Village hereby resolves to limit the adult use cannabis operators within the Village of Montpelier, subject only to limitations as specified in Revised Code section 3780.25.

WHEREAS, pursuant to the Constitution of the State of Ohio, the Ohio Revised Code, and the Charter of the Village of Montpelier, Ohio, the Council has the authority to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality including restricting areas used for businesses and trades.

WHEREAS, Council finds that enactment of this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the Village, and therefore that this Ordinance must be in full force and effect immediately upon its passage and approval by the Mayor.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MONTPELIER, STATE OF OHIO, THAT:

Section 1: The following section is enacted and added to the Planning and Zoning Code:

1173.26 RECREATIONAL MARIJUANA CULTIVATORS, PROCESSORS, AND DISPENSARIES

(a) Recreational Marijuana Cultivators, Processors, and Dispensaries, as those terms are defined in the applicable sections of the Ohio Administrative Code, are permitted only in zones M-1 and M-2 within the Village of Montpelier.

(b) The Zoning Inspector shall not issue a Zoning Certificate to any Recreational Marijuana Cultivator, Processor, or Dispensary unless the applicant provides proof that such applicant has complied with all applicable state law requirements.

(c) Recreational Marijuana Cultivators, Processors, and Dispensaries, shall not be located within five hundred feet of the boundaries of a parcel of real estate having situated on it a school, church, public library, public playground, or public park.

(d) This section does not apply to research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

Section 2: This Ordinance shall be in full force and effect at the earliest time permitted by law

Passed: _____

Steve Yagelski, Mayor

ATTEST:

Molly Collert, Clerk of Council

Submitted By Kevin Motter for Agenda Item #10

In the article addiction medicine specialist Dr. Drew Pinsky said, Quote:

"We were always aware that cannabis was associated with psychotic episodes, but the previous suspicion was it was primarily people who were sort of heading that way already, perhaps that's why they were using the drug."

But according to data from recent analysis and studies, people who have had at least one psychotic episode after using cannabis are almost 50% more likely to develop schizophrenia or bipolar disorder, and that the risk is even higher for teens and young adults.

"Particularly in the states where it's legal for recreational use, the concentration of the cannabis is so spectacular, it's approaching 100% that, literally, it's a different drug, it has a different effect on people," Dr. Drew explained. "And now, very commonly, we're seeing hyperemesis, people that develop these vomiting episodes that are uncontrolled."

"It's very common from weed," he continued. "And psychotic episodes have become increasingly common to the point that they're actually kind of characteristic features to the psychosis these kids are getting from the weed."

Article

[HEALTH CARE](#)

Published January 15, 2024 1:12pm EST

Dr. Drew warns over marijuana studies revealing 'extremely worrisome' data

Chances of developing bipolar, schizophrenia disorders rises 50% after cannabis use, study shows

One of TV's favorite medical personalities is weighing in on the "extremely worrisome" findings coming from a recent study on marijuana use.

"When this first started coming up, I actually was somewhat doubtful. It seemed too much to me," addiction medicine specialist Dr. Drew Pinsky said on "The Bottom Line" Friday. "We were always aware that cannabis was associated with psychotic episodes, but the previous suspicion was it was primarily people who were sort of heading that way already, perhaps that's why they were using the drug."

But according to data from recent analysis and studies, people who have had at least one psychotic episode after using cannabis are almost 50% more likely to develop schizophrenia or bipolar disorder, and that the risk is even higher for teens and young adults.

"Particularly in the states where it's legal for recreational use, the concentration of the cannabis is so spectacular, it's approaching 100% that, literally, it's a different drug, it has a different effect on people," Dr. Drew explained. "And now, very commonly, we're seeing hyperemesis, people that develop these vomiting episodes that are uncontrolled."

"It's very common from weed," he continued. "And psychotic episodes have become increasingly common to the point that they're actually kind of characteristic features to the psychosis these kids are getting from the weed."

A 2017 American Journal of Psychiatry study found that the risk of developing bipolar or schizophrenic disorders was highest for cannabis users aged 16 to 25, and had a greater influence than alcohol, opioids, amphetamines and hallucinogens.

This week, an analysis from Truveta spotlighted how the rates of cannabis-use disorder diagnoses were more than 50% higher in November than compared to the same time in 2019. There was also a nearly 50% increase in the number of cannabis-related emergency room visits.

Twenty-five U.S. states have decriminalized and currently recognize marijuana as a recreational drug, which Dr. Drew cautioned can open doors for easier access for young adults.

"You're fighting a profound cultural bias where they literally have been taught to believe that tobacco is significantly worse than cannabis, and they're right in terms of alcohol, in terms of impact on overall health, in terms of being carcinogenic, in terms of lost work years, yes, the cumulative effects of alcohol are measurably worse than cannabis. But cannabis is also bad," he said.

"Now that we have such incredibly high concentrations of cannabis," Dr. Drew added, "we're starting to see a real problem with really unanticipated psychotic episodes and more addiction. I have family members that are in recovery from cannabis addiction."

The mental health and addiction expert added that he personally knows the "devastating consequence" of marijuana substance abuse, seeing lifelong panic disorder firsthand.

"I don't believe there's any such thing as a bad chemical. I think there are things that are risks with any chemical that humans relate to," Dr. Drew said. "And you just have to understand those risks."

**NOTICE OF
SEMINAR, CONFERENCE, WORKSHOPS OR MEETING
ATTENDANCE**

Name: Nikki Uribes and Tina Custer

Department: Finance

Date(s): 10/9/2024 - 10/11/2024

Location of Training/Seminar: Maumee Bay Lodge and State Park

Description of Seminar/Training: OAPT Annual Conference

Type of Travel: ☒ Village Vehicle ☐ Personal Vehicle ☐ Airplane ☐ Train ☐ Other

Estimated Cost of Transportation:

Cost of Registration: 350.00

Cost of Hotel: 576.00

Estimated cost of Meals: 30.00

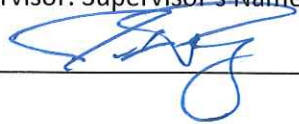
Other (gas, tolls, etc.):

Explain other expenses:

Approved by Department Supervisor: Supervisor's Name here

Signature:

Approved by Village Manager:





This form must be completed and turned into the Village Manager before any expenses are approved, cost may be deducted or charged to employee personally if incurred without prior approval.

**NOTICE OF
SEMINAR, CONFERENCE, WORKSHOPS OR MEETING
ATTENDANCE**

Name: Nikki Uribes

Department: Finance

Date(s): 6/6/2024 - 6/7/2024

Location of Training/Seminar: Kalahari Resorts

Description of Seminar/Training: OAPT Public Finance Officer Training - Maintenance Program

Type of Travel: ☒ Village Vehicle ☐ Personal Vehicle ☐ Airplane ☐ Train ☐ Other

Estimated Cost of Transportation:

Cost of Registration: 349.00

Cost of Hotel: 300.00

Estimated cost of Meals: 20.00

Other (gas, tolls, etc.):

Explain other expenses:

Approved by Department Supervisor: Supervisor's Name here

Signature:

Approved by Village Manager:

This form must be completed and turned into the Village Manager before any expenses are approved, cost may be deducted or charged to employee personally if incurred without prior approval.