

**Village of Waynesville
Council Meeting Minutes
October 1, 2018 at 7:00 pm**

Present: Mayor David Stubbs
Ms. Kimberley Kaan
Ms. Joette Dedden
Mr. Chris Colvin
Mr. Brian Blankenship
Mr. Earl Isaacs
Mr. Zachary Gallagher

Village Staff Present: Jeff Forbes, Law Director; Gary Copeland, Village Manager and Public Safety Director; and Jamie Morley, Clerk of Council

CLERK'S NOTE- *This is a summary of the Village Council Meeting held on Monday, October 1, 2018.*

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Mayor Stubbs called the meeting to order at 7:00 p.m.

Roll Call – 7 present

Mayor Acknowledgements

None

Disposition of Previous Minutes

Ms. Kaan made a motion to amend the minutes of the Special Meeting of September 17, 2018 to exclude Mr. Elliott and include Mr. Gallagher. Mr. Isaacs seconded this motion.

Motion – Kaan
Second – Isaacs

Roll Call – 7 yeas

Mr. Blankenship made a motion to approve the minutes of the Special Meeting of September 17, 2018 as amended and Mr. Isaacs seconded the motion.

Motion – Blankenship
Second – Isaacs

Roll Call – 7 yeas

Ms. Dedden made a motion to approve the minutes of the regular Council meeting of September 17, 2018 as written and Mr. Colvin seconded the motion.

Motion – Dedden

Second – Colvin

Roll Call – 7 yeas

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Public Recognition/visitor’s comments

Gus Edwards, 5197 Lytle Road, here on behalf of Wayne Township, 6050 Clarksville Road, concerning the fire station, as there was not time to discuss at Public Works meeting. Four objectives, 1) Why is a 2” meter required 2) Move meter inside the building 3) Detention pond needs some maintenance 4) site obstruction at new driveway.

Each Council member voiced their concerns over moving the water meter inside the building versus placing the meter in the utility easement. The Exceptional Use Zoning does not allow for changes in our ordinances, it is only for land use. If changes were allowed for this project, it could set a precedence for other developments later on. It was determined that the Village Manager would work with the Township to get the issues resolved.

John Federle, 5615 Lytle Road, stated that he heard through the grapevine that the Council had a resolution that included his and a neighbor’s property. He and his wife Sherry stated that whenever there is a resolution that includes someone specific, out of courtesy, they would appreciate to be informed by at least a phone call.

This resolution was drawn up so that the residents would know what Council’s opinion at this time was and that they did not intend to annex these properties.

Old Business

None

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Reports

Finance Report

Will meet October 18th at 5:00 p.m. and have 3 ordinances to present for first readings at tonight's meeting.

Public Works Report

Met this evening and have a couple of recommendations for Council. 1) New SCADA system and 2) selling of unused land 8-10 acres behind government center, parcel on High Street and lockup on Chapman Street.

Special Committee Report

Warren County Municipal League will meet this month

MOMS will put Christmas decorations up on Main Street October 20th, if rain then October 27th.

Village Manager Report

- Winelco, Inc. has been hired to do work at the Covey Station
- Clinco & Sutton to survey well field land. Allen from Ground Water Service received 3 bids for test sites and Boone Water is recommended to do the project.
- Mr. Stout from InControl provided 3 options for the new SCADA system.
- Collett Sealcoating has had delays due to weather.
- Fed Excavating did restore property at the Library.
- A & A Safety is getting the stop bars and crosswalks painted.
- Hydrant flushing has started.
- Leaf pickup is a courtesy and depends on availability of staff and equipment. At this time, please bag your leaves.
- Ed Soots (Schools Engineer) is meeting with Nick (Choice One) concerning recommendation on the bus garage for the school.

Police Report

- Strategic plan is complete for the Sauerkraut Festival. Will start preparing the no parking signs.
- Mark Webb has been offered the Acting Prosecutor position.
- SRO-Ryan Wells as resigned his position and taking a job offer with the City of Oakwood.
- Interviewed several officers for SRO position. Officer James Walker was offered the position and will start SRO training the week of October 8th.

- We have another officer that resigned, Reserve Officer Jones. He is going to Trenton.

Financial Director Report

- Signed extension agreement with State Auditor and BHM CPA Group to complete Biennial Audit.
- Expenses for the Lockup Building are \$25 per month electric, \$40 per month other utilities. Need to contact insurance company for insurance expense on building.

Law Report

- Council may want to consider executive session in reference to pending court action.

Mayor Stubbs has looked into insurance companies that insure large festivals. He has three national companies that have forms that need to be filled out by the organization sponsoring the events. Mayor Stubbs will get with Mr. Schear on this.

Mr. Gallagher spoke with Mr. Dubbs and Mr. James about the new school building. He now understands that the state mandates the size and how to build.

Ms. Kaan spoke about the MOU (Memorandum of Understanding) concerning inside water meters that are not up to code and it does not address if this follows the property when sold.

New Business

Mr. Colvin made a motion to entertain a working session of Council on October 15, 2018 at 6:00 p.m. for the purpose of discussing Convention of States, Article 5, and Mr. Gallagher seconded the motion.

Motion - Colvin
Second - Gallagher

Roll Call – 7 yeas

Ms. Kaan made a motion to direct the Village Manager to start the process to sell 8-10 acres behind the Government building along with an easement and Mr. Isaacs seconded the motion.

Motion – Kaan
Second – Isaacs

Roll Call – 7 yeas

Ms. Kaan made a motion to direct the Village Manager to do the ground work to sell the parcel of land on High Street and Mr. Isaacs seconded the motion.

Motion – Kaan

Second – Isaacs

Roll Call – 7 years

A motion was made by Ms. Kaan to do the necessary ground work to sell the old Lockup on Chapman Street and Mr. Isaacs second the motion.

Motion – Kaan

Second – Isaacs

At this time Stephanie Osman, 3030 Fairmont Ave., Kettering, OH stepped forward to state that she has a commercial design business and has a lot of back stock and is interested in renting the lockup now and would hope that Council would offer her the first right of refusal and a 30 to 60 day condition of sale.

Mr. Forbes stated that this could be added to the contract if Council agreed.

Roll Call – 7 years

Ms. Dedden made a motion to amend the agenda to add Ordinance No. 2018-052 and Mr. Blankenship seconded this motion.

Motion – Dedden

Second – Blankenship

Roll Call – 7 years

Legislation

First Reading of Ordinances and Resolutions

Resolution No. 2018-046

A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor and Declaring an Emergency

A motion was made by Ms. Dedden to waive the two reading rule for Resolution No. 2018-046 and seconded by Mr. Blankenship.

Motion – Dedden

Second – Blankenship

Roll Call – 7 years

Mr. Isaacs made a motion to adopt Resolution No. 2018-046 and Declaring an Emergency and this motion was seconded by Mr. Colvin.

Motion – Isaacs

Second – Colvin

Roll Call – 7 years

Ordinance No. 2018-047

An Ordinance Amending the Fee Schedule for the Village of Waynesville

Ms. Kaan made a motion to amend Ordinance No. 2018-047 to add (Sign Permit Fee) in the title, and Ms. Dedden seconded the motion.

Motion – Kaan
Second – Dedden

Roll Call – 7 yeas

A motion was made by Ms. Kaan to accept the first reading of Ordinance No. 2018-047 and Ms. Dedden seconded the motion.

Motion – Kaan
Second – Dedden

Roll Call – 7 yeas

Ordinance No. 2018-048

An Ordinance Establishing Certain Positions and Amending the Base Pay Rates and Ranges of Village of Waynesville Employees

Ms. Dedden made a motion to have the first reading of Ordinance No. 2018-048 and Mr. Blankenship seconded the motion.

Motion – Dedden
Second – Blankenship

Roll Call – 7 yeas

Ordinance No. 2018-049

An Ordinance Appointing Jeffrey D. Forbes and the Law Firm of Wood & Lamping LLP as Law Director for the Village of Waynesville, Ohio, and Establishing the Compensation

Ms. Kaan made a motion to add the word annual to read as “an annual retainer payment” in Ordinance No. 2018-049 and Mr. Gallagher seconded the motion.

Motion – Kaan
Second – Gallagher

Roll Call – 7 yeas

A motion was made by Mr. Blankenship to have the first reading of Ordinance No. 2018-049 and Mr. Gallagher seconded the motion.

Motion – Blankenship
Second – Gallagher

Roll Call – 7 yeas

Ordinance No. 2018-050

An Ordinance Authorizing the Village Manager to Execute a Termination of Lease and Sublease Related to 2001 Health Care Facilities Revenue Bonds and Declaring an Emergency

Ms. Dedden made a motion to waive the two-reading rule for Ordinance No. 2018-050 and Declaring an Emergency and this motion was seconded by Mr. Blankenship.

Motion – Dedden

Second – Blankenship

Roll Call – 7 yeas

Mr. Blankenship made a motion to adopt Ordinance No. 2018-050 and Declaring an Emergency and Ms. Kaan seconded the motion.

Motion – Blankenship

Second – Kaan

Roll Call – 7 yeas

Ordinance No. 2018-051

An Ordinance Authorizing the Village Manager to Enter into a Contract with Incontrol Technical Solutions, LLC for SCADA System Upgrade Services

Mr. Isaacs made a motion to have the first reading of Ordinance No. 2018-051 and Mr. Gallagher seconded the motion.

Motion – Isaacs

Second – Gallagher

Roll Call – 7 yeas

Ordinance No. 2018-052

An Ordinance Authorizing the Village Manager to Enter into a Lease Agreement for the Lock Up and Declaring an Emergency.

Ms. Kaan made a motion to amend Ordinance No. 2018-052 to include language into the lease agreement, which Mr. Forbes will draft, that would give notice to the tenants in the event of a sale with a right of first refusal and a 30 day notice to terminate the lease. Mr. Blankenship seconded this motion.

Motion – Kaan

Second – Blankenship

Roll Call – 7 yeas

A motion was made by Ms. Dedden to waive the two reading rule for Ordinance No. 2018-052 and this motion was seconded by Mr. Blankenship.

Motion – Dedden
Second – Blankenship

Roll Call – 7 yeas

Mr. Blankenship made a motion to adopt Ordinance No. 2018-052 as amended and Declaring an Emergency and Mr. Isaacs seconded the motion.

Motion- Blankenship
Second – Isaacs

Roll Call – 7 yeas

5 minute break

Second Reading of Ordinances and Resolutions

Resolution No. 2018-044

A Resolution Strongly Urging the Ohio Governor and Members of the Ohio General Assembly to Invest the State Budget Surplus in Municipalities

Mr. Isaacs made a motion to adopt Resolution No. 2018-044 and Mr. Blankenship seconded the motion.

Motion – Isaacs
Second – Blankenship

Roll Call – 7 yeas

Resolution No. 2018-045

A Resolution Expressing the Opinion of Village Council Regarding the Future Annexation of Property on Lytle Road

Ms. Kaan made a motion to amend Resolution No. 2018-045 to add at the end of Section 2, comma “property tax and other current revenue sources are not enough to support residential land annexations and risk pushing the Village closer to city status with no funding mechanism available for these additional responsibilities.” This motion was seconded by Mr. Isaacs.

Motion – Kaan
Second – Isaacs

Roll Call – 7 yeas

A motion was made by Mr. Gallagher to amend Resolution No. 2018-045 to take out Lytle Road in the heading and strike the words “located at 5615 and 5621 Lytle Road” in the body of the Resolution. This motion was seconded by Mr. Blankenship.

Motion – Gallagher
Second – Blankenship

Roll Call – 2 yeas, Gallagher, Blankenship
5 nays, Isaacs, Kaan, Stubbs, Colvin, Dedden

Ms. Dedden made a motion to adopt Resolution No. 2018-045 as amended and Mr. Gallagher seconded the motion.

Motion – Dedden
Second – Gallagher

Roll Call – 6 yeas, Isaacs, Kaan, Stubbs, Colvin, Dedden, Gallagher
1 nay, Blankenship

At this time Ms. Kaan made a motion to go into executive session at 9:59 p.m. for the purpose of discussing pending litigation and Mr. Isaacs seconded the motion.

Motion – Kaan
Second – Isaacs

Roll Call – 7 yeas

Council returned from executive session at 10:36 p.m. with roll call taken and all members present.

With no further business, the meeting was adjourned at 10:37 p.m. and all were in favor.

Date: Oct 16, 2018

Jamie Morley, Clerk of Council 