



COUNCIL AGENDA

Monday, May 3, 2021 - 7:00 pm
Waynesville Municipal Building

- I. Roll Call
- II. Pledge of Allegiance
- III. Mayor (for purposes of acknowledgements)
- IV. Disposition of Minutes of Previous Meetings
 - April 19, 2021 Working Session of Council at 6:00 p.m.
 - April 19, 2021 at 7:00 p.m.
- V. Public Recognition/Visitor's Comments (A five minute per person time limit will be allowed each speaker unless more time is requested and approved by a majority of council)
- VI. Old Business
- VII. Reports
 - Standing Council Committees
 - a) Finance Committee
 - b) Public Works Committee
 - c) Special Committees
 - Village Manager's Report
 - Finance Director's Report
 - Police Report
 - Law Directors Report
- VIII. New Business:

Legislation:

Reading of Ordinances and Resolutions:

First Reading of Ordinances and Resolutions:

ORDINANCE 2021-017
AMENDING THE RULES OF COUNCIL

Second Reading of Ordinances and Resolutions:

Tabled:

ORDINANCE NO. 2021-015
AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH PCI SERVICES
AND DECLARING AN EMERGENCY

IX. Executive Session

X. Adjournment

Next Regular Council Meeting:

May 17, 2021 at 7:00 pm

Upcoming Meetings and Events:

Public Works Committee Meeting, May 3, 2021 @ 6:00 p.m.
Special Council Committee on Short Term Rentals, May 5 @ 6:00 p.m.
Finance Meeting, May 20, 2021 @ 5:00 p.m.

Village of Waynesville
Working Session of Council Minutes
April 19, 2021 at 6:00 p.m.

DRAFT

Present: Mayor Earl Isaacs
Mr. Brian Blankenship
Mr. Chris Colvin
Ms. Joette Dedden
Mr. Zack Gallagher (arrived after roll call)
Mr. Troy Lauffer
Mrs. Connie Miller

Village Staff Present: Jamie Morley, Clerk of Council

***CLERK'S NOTE-** This is a summary of the Village Working Session of Council held on Monday, April 19, 2021 to review the Rules of Council.*

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Ms. Dedden called the meeting to order at 6:04 p.m. She explained the purpose of the meeting was to review the Rules of Council and make any updates as Council deems necessary.

- Ms. Dedden recommended on page 4, second paragraph to add (B) after 3.07.
- Page 4, number 1: Cross out 12 and add 24 to match with the Charter. And add at the end of the paragraph “(Section 3.08(C) (1) and (2) Waynesville Charter)”.
- Page 5, number 3:
 - Mark out “not” in first paragraph and first sentence to coincide with the Charter.
 - Cross out “but” and add a period and capitalize “The.”
 - Add “(Section 3.08(C) Waynesville Charter)”.
 - Add “(D)” at end of second paragraph after section 3.08.
 - Section D, number 4 cross out “provided”.
- Page 7:
 - Under VII, switch 3 and 4.
 - Under IX, cross out all of letter B.
- Page 8, Ms. Dedden went over the procedure of motions and what motions would be put to vote without debate.
- Page 9, section J, Ms. Dedden wanted to stress that the only reason a member should abstain from a vote is if a Council member has personal involvement. In the past, members have abstained from approving minutes if they were not at the previous meeting. This is not a valid reason to abstain.
- Page 10, Section M: Ms. Dedden wanted to clarify that all members of Council should be given the opportunity to speak to a question before another Council member speaks for a second time. Mr. Colvin felt that this may pressure members to not speak and ask questions and wanted to stress that he does not

want to move too quickly through business but let the process work and do due diligence. Mr. Gallagher stated that he felt Council was following the principle of the rule. The consensus was to be more conscientious in making sure everyone has had the opportunity to speak before others speak for a second time.

- Page 13: First paragraph, first sentence, strike everything after “meal” and add “as reflected in 4.5 (c)(4) Personnel Policy.”
- Page 14, Rule XIII: Mr. Colvin asked what the application of temporarily suspending the rules and how would this be used within the meeting. It was decided to ask Mr. Forbes why this is in the rules.
- Page 2: Change “Village Solicitor” to “Law Director”.
- Page 18, Channel Communications. Ms. Dedden suggested that the sentence only state “Questions of Village staff should be directed only to the Village Manager.” and strike Law Director, Clerk of Council or Finance Director. Mr. Colvin felt the Finance Director should be listed because Council hires, reviews, and determines the pay Finance Director. He further stated that Council hires the Village Manger, Law Director, and Finance Director and feels Council should be able to speak with them and ask questions. Mr. Colvin further said that in the past individual Council members have injected themselves into the day-to-day staff when they should not. This is the Village Manager’s responsibility. He further said that the proper process for Council to follow is to go through the Personnel Committee. Mr. Lauffer agreed that there is a chain of command to be followed. It was determined to ask Mr. Forbes what his recommendation on the best way to word this section.

Ms. Dedden made a motion to adjourn at 6:58 p.m. and was seconded by Mr. Blankenship. All were in favor.

Date: _____

Jamie Morley, Clerk of Council

DRAFT

**Village of Waynesville
Council Meeting Minutes
April 19, 2021 at 7:00 pm**

Present: Mayor Earl Isaacs
Mr. Brian Blankenship
Mr. Chris Colvin
Ms. Joette Dedden
Mr. Zack Gallagher
Mr. Troy Lauffer
Mrs. Connie Miller

Village Staff Present: Jeff Forbes, Law Director; Jamie Morley, Clerk of Council

CLERK’S NOTE- This is a summary of the Village Council Meeting held on Monday, April 19, 2021.

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

Roll Call – 7 present

At Mayor Isaacs’s request Mr. Blankenship led Council in a moment of prayer.

Mayor Acknowledgements

Mayor Isaacs stated Chief Copeland would be on ESPN 2, Friday night refereeing MMA in Atlantic City. He is unable to attend tonight’s meeting due to coaching his son’s baseball game.

Disposition of Previous Minutes

Ms. Dedden made a motion to approve the minutes of April 5, 2021 as written and Mr. Blankenship seconded the motion.

Motion – Dedden
Second – Blankenship

Roll Call – 7 yeas

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Public Recognition/visitor’s comments

Warren County Sheriff, Larry Simms, reviewed with Council the 2020 yearend report. He wanted to let residents know the report is on their website for review. Sheriff Simms addressed the impacts of the pandemic on the department and the jail system. He stated his office declined to participate in enforcement actions of mandate orders and operated the office on the guidelines fit for the office's responsibilities. He further explained the calls of services were down due to the stay-at-home order and the jail had to release low-level offenders to adhere to social distancing protocols.

The department added a canine unit in the Deerfield Township post. They now have 4 canines. Also, the department added a drone which will help security in serving search warrants and SWAT team activity. The drone has also been used for search and rescue missions. The jail is nearing completion. The administration side may be able to move in by mid-September. The beds will increase from 280 beds to 499 beds.

Mr. Colvin asked Sheriff Simms about recent legislation passed at the state level that may cause issues with police immunity. Sheriff Simms stated recent legislation went into effect on April 12 and places restrictions on handcuffing and isolating pregnant females.

Mr. Blankenship asked how the morale of his staff was. Sheriff Simms stated that it was good due to great community support. This helps keep morale up.

Council thanked Sheriff Simms for attending tonight's Council meeting and expressed their support for him and his department.

Nancy Walther of 242 Victoria Place addressed Council concerning a valve box within her brick walkway. She stated that there is a jagged pipe sticking up out of the walkway that is a tripping hazard and asked if there is anything the Village can do about it. It was discussed that that this was on the Village side of the meter. The Village Manager would be contacted and have staff come out and see about making it flush with the ground.

Old Business

Ms. Dedden Stated that Council met this evening at 6:00 PM to go over the Rules of Council. Council had a couple questions for the Law Director on the rules. Ms. Dedden asked about Rule XIII, Dispensation of Rules. Mr. Forbes explained that the Rules of Council outline how Council is to operate and function and Rule 13 states that any part of these rules can be temporarily suspended at a meeting by a majority vote. However, many of the rules are directly from the Charter and/or ORC and these cannot not be suspended. For example, the rules dictating how and why Council can go into executive session cannot be suspended as this is established in the Charter and state law. But Council could suspend Rule XI where it calls out how the agenda is laid out. Council could vote to temporarily suspend the rules to not have any reports for the meeting that evening and this is perfectly acceptable. Mr. Forbes suggested that Council could add to the end of Rule XII, "unless it is required by any provisions of the Charter, codified ordinances, or state law." He further stated that there is nothing wrong with the rule and it is a tool Council can use in limited circumstances with the understanding that it cannot go against the Charter, ORCs, or codified ordinances. Mr. Colvin asked how long this suspension

of a rule could last. Mr. Forbes said generally it should be for a meeting. If Council wanted to indefinitely suspend a rule, then they should modify the Rules of Council.

Ms. Dedden also asked about the section on page 18, Channel Communications Through The Appropriate Senior Staff. She stated that she felt that this section should only list Village Manager and delete Law Director, Clerk of Council, or Finance Director. Mr. Forbes explained the positions listed are appointed by Council. These staff members report to Council and if Council has questions or issues, they should be able to address the staff members in these positions. He further elaborated that these are Rules of Council and if Council wants to limit communication to only the Village Manager, they can do so. Mr. Forbes stated that Council should not have contact with day-to-day staff and activities, this is what Council appointed the Village Manager to do. The Village operates under a Council-Manager form of government. The roll of Council is as a legislative body. As a legislative body, Council passes legislation and sets the policy direction for the Village on how things are supposed to happen. The Village Manager is appointed to execute the policy as dictated by Council and the laws set forth by Council. Council agreed there did not need any changes made to this section to the Rules of Council.

An ordinance will be made up to accept the changes to the Rules of Council for the next meeting. Ms. Morley will have the changes highlighted for the first reading so Council can see the proposed changes.

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Reports

Finance

The Finance Committee will meet Thursday on April 22, 2021 at 5:00 p.m. at the Government Center.

Public Works Report

Public Works Committee will meet on May 3, 2021 at 6:00 p.m. and the public is encouraged to attend.

Special Committee Report

Village Manager Report

Ms. Dedden went over some highlights from the Village Manager's report as Chief Copeland was absent.

- Ordinance tonight to accept the contract with Nelson Tank Engineering & Consulting Inc. to supervise the rehabilitation of Lytle Ferry Tower.

- The fencing to go around the maintenance building and wellfield should begin the last week of this month.
- Community Days Garage Sale is set for the July 8-11 and no permits are required.
- The new water distribution station is open for business and is running smoothly.
- Ms. Morley provided Council with legislation and research from other municipalities in Ohio on Airbnbs.
- Began milling Edward, High, and Miami today. The streets should be paved by end of week.
- Meeting on Thursday to discuss the OPWC Grant for Third Street.
- Chief Copeland has asked Council to table Ordinance 2021-015 because more information needs to be gathered.

Police Report

- Like to commend Corporal Morris for seizing controlled substances and drug paraphernalia on a standard traffic stop for driving under suspension.
- On the 15th of April the Waynesville Police Department, Wayne Local Schools, Care Flight, and Wayne Township Fire Department put on a mock crash to bring awareness to students the effects of drinking and driving.
- Annual Recycling Rally is on April 24, 2021.
- Pedestrian crossing signs have been placed along Main Street to discourage speeding.
- Signs are being made to be placed along Main Street to say no bicycles, skateboarding, roller blading along the sidewalk.

At 8:15 Council took a five-minute recess and returned with everyone present at 8:20.

Financial Director Report

None

Law Report

- Provided Special Council Committee with examples of other municipalities ways to regulate Airbnbs within their community.
- There is an Ordinance on tonight's agenda, 2021-014 that poses a temporary moratorium on short term rentals for 180 days. This gives Council time to research and review how Council would like to address short term rentals. The Ordinance is an

emergency to impose the moratorium immediately. If a resident were to begin the process of having an Airbnb, they would be grandfathered.

Ms. Dedden asked how to proceed with the Committee. Mr. Forbes stated the job of Council is legislative and to pass the laws for the municipality. The Committee can get input from residents during Committee meetings but ultimately it is for Council to decide how to regulate short term rentals. Council has referred researching short term rentals to a special committee of Council. It is the job of the Committee to come back to Council with their recommendations to full Council. The Committee can update Council during Special Committee Reports and make a recommendation or ask Mr. Forbes to write up legislation to present to Council.

Mr. Forbes stated that after looking over how other municipalities have regulated short term rentals there are generally two paths. One is through the zoning code, which is where a municipality could regulate short term rentals within certain zoned areas. The other path is through the business regulations sections, this is usually the path used to not allow any short term rentals. This is relevant because of procedures. If Council decides to address this through changing the zoning code, then the Planning Commission needs to become involved and have public hearings. Changing the code in the business regulations section does not have to involve Planning Commission.

Mr. Gallagher asked if there was a way to write code that is in the business regulations but references the zoning districts. Mr. Forbes stated that is zoning code and should more appropriately be placed in the zoning section of the code.

New Business

Legislation

First Reading of Ordinances and Resolutions

Ordinance No. 2021 - 014

Imposing a Moratorium for a Period of 180 Days on the Granting of any Permit or any Other Action Allowing Short-Term Rentals such as Airbnb within the Village of Waynesville, Ohio and Declaring an Emergency

Mr. Colvin made a motion to waive the two-reading rule for Ordinance 2021-014 and Mrs. Miller seconded the motion.

Motion – Colvin
Second – Miller

Roll Call – 7 yeas

Mr. Colvin made a motion to adopt Ordinance 2021-014 as an emergency and Mrs. Miller seconded the motion.

Motion – Colvin
Second – Miller

Roll Call – 7 yeas

Ordinance No. 2021-015

Authorizing the Village Manager to Enter into a Contract with PCI Services and Declaring an Emergency

Ms. Dedden made a motion to table Ordinance 2021-015 and Mr. Gallagher seconded the motion.

Motion – Dedden
Second – Gallagher

Roll Call – 7 yeas

Ordinance No. 2021-016

Authorizing the Village Manager to Enter into a Contract with Nelson Tank Engineering & Consulting, Inc., and Declaring an Emergency

Mr. Gallagher made a motion to waive the two-reading rule for Ordinance 2021-016 and Mr. Lauffer seconded the motion.

Motion – Gallagher
Second – Lauffer

At this time, Council discussed the Village Manger’s report that stated section I, II(A) of the contract would be scratched out. Mr. Gallagher had expressed concern in Public Works meeting that the contract stated reports would be the property of Nelson Tank Engineering & Consulting. However, because they did not do the engineering work for the project, this section of the contract does not apply and can be crossed out.

Roll Call – 7 yeas

At this time, Mr. Gallagher called the Village manager to get clarification on the modification of the contract and if all of section II or just section II(A) were to be removed. Chief Copeland confirmed II(A) needed to be removed and all inspection reports will be the property of the Village. Chief Copeland also explained that “Section III Additional Service Fees” only applies if the Village asks the company to do extra work outside the scope of the proposed project.

Ms. Dedden made a motion to amend Exhibit A of Ordinance 2021-016 to remove letter A of Section II of Miscellaneous Provisions and Mr. Blankenship seconded the motion.

Motion – Dedden
Second – Blankenship

Roll Call – 7 yeas

Mr. Colvin made a motion to adopt Ordinance 2021-016 as amended as an emergency and Mr. Blankenship seconded the motion.

Motion – Colvin
Second – Blankenship

Roll Call – 7 yeas

Second Reading of Ordinances and Resolutions

Ordinance 2021-013

Adopting Section 50.107 of the Waynesville Codified Ordinances Related to Closed/Inactive Water Accounts

Mr. Blankenship made a motion to adopt Ordinance 2021-013 and Mrs. Miller seconded the motion.

Motion – Blankenship
Second – Miller

Roll Call – 7 yeas

Tabled Ordinances and Resolutions

Executive Session

None

Ms. Dedden made the motion to adjourn at 9:07 p.m. and was seconded by Mr. Blankenship. All were in favor.

Date: _____

Jamie Morley, Clerk of Council

ORDINANCE 2021-017

AMENDING THE RULES OF COUNCIL

WHEREAS, section 32.008 of the Waynesville Codified Ordinances provides for the Council of the Village of Waynesville to provide for its own rules; and

WHEREAS, Council has determined that it is now necessary to amend said rules of Council.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville,

_____ members elected thereto concurring:

Section 1. That the Village of Waynesville Rules of Council are hereby amended as set forth in the document attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. That this Ordinance shall be effective from and after the earliest period allowed by law.

Adopted this _____ day of _____, 2021.

Attest: _____
Clerk of Council

Mayor

**RULES OF COUNCIL
VILLAGE OF WAYNESVILLE**

Adopted March 18, 1980
Amended January 1990
Amended April 1992
Amended January 1994
Amended January 1995
Amended February 1996
Amended April 2000
Amended January 2004
Amended January 2005
Amended May 2009
Amended April 2011
Amended April 2018
Amended March 2019
Amended April 2021

Authority to Proclaim Rules:

The Council shall determine its own rules of procedure.
(Section 731.45 ORC)

" ALL LEGISLATIVE POWER OF THE MUNICIPALITY SHALL BE VESTED IN THE COUNCIL...(Council has) the power to provide for the exercise of all powers of local self government granted to the Municipality by the Constitution of the State of Ohio in a manner not inconsistent with this Charter or the Constitution of the State of Ohio." (Section 3.09 Waynesville Charter)

Contrary to Law:

Section 1: If rules of procedure of any provision thereof pursuant to section 731.45 of the ORC shall be found to be contrary to law, by a Court of competent jurisdiction, then that portion or provision shall be deemed invalid except to the extent permitted, but all other provisions hereof shall continue in full force and effect for the remainder of the said term.

Section 2: If any section of these rules are found to be invalid, pursuant to section 1 above, they shall be reformulated in order to correct any deficiencies. Upon such discovery, Council shall commence, beginning at the next regularly scheduled meeting subsequent to the time of any such discovery, to reapportion its rules in order to achieve conformance with the law.

CONTENTS

Rule I:	Organization
Rule II:	Appointment of Committees
Rule III:	Meetings
Rule IV:	Temporary Chairman
Rule V:	Agenda
Rule VI:	Council Procedures
Rule VII:	Order and Decorum
Rule VIII:	Clerk of Council
Rule IX:	<u>Law Director</u> Attendance
Rule X:	Attendance
Rule XI:	Travel on Official Business
Rule XII:	Vacancies
Rule XIII:	Dispensation of Rules
Rule XIV:	Amendment to Rules

RULE I: ORGANIZATION'

Following each regular municipal election, the Council shall meet not later than the seventh day of January for the purpose of organizing. At such meeting, the newly elected members of Council shall take the oath of office and the Council may transact such other business as may come before it. Thereafter, regular meetings shall be held as prescribed by ordinance, but not less frequently than twice each month. (Section 3.07, Waynesville Charter)

RULE II: APPOINTMENT OF COMMITTEES

Section A:

At the second meeting in November of each year, the Mayor shall select from Council two members as a nominating committee to fill the seats of all Committees, Boards and Commissions required to be filled at the first Council meeting of the year.

Immediately after the organization of Council at the first meeting of the year, the Council shall choose from the Council membership, three (3) different persons to serve on one of the two standing committees. One member shall be designated as chairman for each committee, based on a majority vote of committee members, to be taken at the first scheduled meeting of each committee. The following shall be the standing committees of Council: Finance and Public Works/Service Committee.

Section B:

The Council may create, change, or abolish other boards and commissions as it determines to be necessary, and may provide for their organization, membership, method of appointment, terms of office of members, and powers, duties, and functions by ordinance or resolution (Section 7. 12, Waynesville Charter).

Special committees for particular purposes may at any time be appointed by the Council with the approval of the majority of Council. Unless otherwise stated in the minutes relative to the appointment of special committees, all such special committees shall serve for a time to be specified by Council.

RULE III: MEETINGS

Section A:

Regular meetings of Council shall be held at the Waynesville Government Center, unless otherwise stated, on the first (1st) and third (3rd) Monday of each

month at 7:00 p.m., except when any such Monday is a legal holiday recognized by both the State and Federal Government or when for other good and sufficient reasons it is impractical to hold a regular scheduled meeting, Council shall meet in regular session on the following day at the same time and place. In the event of instances deemed to be "special circumstances", the regular meeting start time may be changed to an earlier time to accommodate such circumstances, and the public will be notified of such change in accordance with the established policies regarding appropriate notice.

Except as provided under the laws of the State of Ohio, Section 121.22 and commonly referred to as the 'Sunshine Law', all meetings of the Council shall be open to the public. A majority of the members of Council shall constitute a quorum at all meetings. (Section 3.07(B), Waynesville Charter)

Section B:

Special Meetings may be called by an affirmative vote of at least four members of Council taken at any regular or special meeting thereof or may be called by the Mayor, or any three members of Council. (Section 3.08A, Waynesville Charter)

The Clerk of Council shall notify all news media who have requested such notification in writing.

(Notice of a special meeting shall be personally served upon each member of Council or left at their usual places of residence at least twenty-four (24) hours before the time of the meeting. It shall be the duty of the Clerk of Council to make a diligent effort to notify each member of the Council in person, by telephone, or otherwise of such special notice.)

Public notice of each special meeting of Council shall be made by the Clerk of Council, by at least one of the following:

1. Posting a notice of the special meeting at a location accessible to the public at the municipal building and at least four other conspicuous places in the Municipality frequented by the public. The notices shall contain the time, place, and all matters to be considered at the special meeting. No other matters may be considered after notice is given. These notices must be posted at least ~~12~~24 hours before the starting time of the meeting.
2. Publication in a newspaper determined by Council to be of circulation within the Municipality at least 24 hours before the special meeting.

3. Post meeting notices on appropriate electronic media.

Failure to notify the public by one of the aforementioned means shall ~~not~~ invalidate actions taken by Council at the special meeting, ~~but~~ The Clerk of Council must submit to the Mayor, within 48 hours after commencement of the special meeting, a written explanation of the failure to notify the public. This explanation shall be read and recorded in the minutes at the next regularly scheduled Council meeting. (Section 3.08(C), Waynesville Charter)

In the event of an emergency situation that affects the immediate public health, safety, or welfare of the Municipality, the Mayor may call an emergency meeting of Council by waiving the above requirements. (Section 3.08(D), Waynesville Charter)

Section C:

Adjourned meetings - Any session of the Council may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be for a longer period than the next regular meeting thereafter. Any absentee shall be notified personally by the Clerk of Council by telephone or by written notice served personally, at his regular place of residence, at least twenty-four (24) hours prior to the date and hour for the reconvened adjourned meeting.

Section D:

Executive Session

1. Any member of Council, may request that executive session be held. Upon majority of Council, an executive session shall be convened, under provisions allowed by ORC 121.22G.
2. Unless otherwise stated, all executive sessions will be held in a "closed-door" session in an appropriate conference room or meeting area previously designated for such purpose.
3. During executive session the remainder of the building, including the area designated for Council Chambers will remain undisturbed.
4. Attendance at an executive session shall consist of members of the Village Council, ~~provided~~ however Council may invite such persons as may be required for advice and information.

5. Exceptions to the open meeting requirements must conform to ORC 121.22(G).

RULE IV: TEMPORARY CHAIRMAN

In the case of the absence of the Mayor and president pro tempore, the Clerk shall call the Council to order and call the roll of the members. If a quorum is found to be present, the Council shall proceed to elect, by a majority vote of those present, a chairman of the meeting to act until the Mayor or president pro tempore appears. The temporary chairman during this period shall retain all the rights and privileges of a Council member including the right to vote on all matters.

RULE V: AGENDA

Any item to be placed on the Agenda for the regularly scheduled meeting must be in the Office of the Clerk of Council by Noon the Friday before the meeting. The Clerk of Council shall make available, at his/her office, copies of the agenda and pertinent background information to the members of the press.

The Clerk of Council shall be responsible for preparing the Agenda for the regular meetings of Council. The Clerk of Council shall reject any item for consideration on the Agenda that is not submitted to the Clerk of Council prior to the closing date and time of noon, the Friday before the scheduled meeting.

In the event that issues of an emergency nature may arise after the designated close time for agenda items as previously indicated, a motion may be made at the opening of the Council session to adopt a modified agenda for that meeting. An explanation must be given for the modification and such a motion must be approved by an affirmative vote of at least 4 members of Council.

RULE VI: COUNCIL PROCEDURES

Section A. The following shall be the order of business:

- I. Roll Call
- II. Pledge
- III. Mayor (for purposes of acknowledgments)
- IV. Disposition of minutes of previous meeting
- V. Public Recognition and comments on subject matters including those scheduled on the formal agenda. A five minute per person time limit will be allowed each speaker unless more time is requested and approved by majority of the Council.
- VI. Old Business
- VII. Reports
 1. Standing Committees
 - a) Finance Committee
 - b) Public Works Committee
 - c) Special Committees
 2. Village Manager's Report
 3. ~~Finance Director's Report~~ Police Chief's Report
 4. ~~Police Chiefs Report~~ Finance Director's Report
 5. Law Director's Report
- VIII. I New Business
- X. Legislation
 - A. First Reading of Ordinances and Resolution on the Agenda
 - ~~B. Motion to approve second reading legislation by titles only (may be approved by title only if approval is granted by majority vote of Council)~~
 - C.B. Second reading of ordinances and resolutions by title
- X. Executive Session (if requested)
- XI. Adjournment

Section B.

Motions generally will not be in writing, but will be written down for the record by the Clerk of Council at the time they are made. A member will address the chair and state the member's motion. Another may second the motion by addressing the chair and stating his second. Immediately following the motion and second, the presiding officer shall state the motion. The motion will then become the property of the Council and may then be debated, amended, or otherwise acted upon.

Precedence of Motions - When a question is before Council, no motion shall be entertained except:

1. To adjourn
2. To lay on the table
3. The previous question
4. To postpone to a certain time
5. To refer
6. To amend
7. To postpone indefinitely

These motions shall have precedence in the order indicated. Motion 1, 2, 3, and 4 shall be put to vote without debate.

Section C.

All motions shall be seconded except the following:

1. To raise a question of privilege
2. Question of order
3. Objections to the consideration of a question
4. Nominations
5. Inquiries of any kind

Section D.

When not in order, not debatable - A motion to adjourn shall be in order at any time except the following:

1. When repeated without intervening business or discussion
2. When made as an interruption of a member who is speaking
3. When the previous question has been ordered
4. While a vote is being taken

Section E.

A motion to lay on the table shall preclude all amendments of debate of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of a majority of the members present.

Section F.

When the previous question is moved, and seconded by one other member, it shall be put as follows: " Shall the main question be now put?" There shall be no further amendment or debate, but pending amendments shall be put in their order before the main question. If the question "Shall the main question be now put?" be decided in the negative, the main question remains before Council.

Section G.

If the question contains two or more divisible propositions, the presiding officer may, and upon request of a Council member, shall divide the same.

Section H.

It shall be in order to amend an ordinance at any time when not in the hands of a committee. If an ordinance, after the second reading is referred to a committee and amended, it shall be read as the second reading thereof, and laid over for further and final consideration.

Section I.

All motions to postpone, except in a motion to postpone indefinitely may be amended as to time. If a motion to postpone indefinitely is carried, the principal question shall be declared lost.

Section J.

1. When a question is put to vote, each member present shall be required to vote 'yea' or 'nay' which will be entered in full upon the record. Abstention is not permissible, except in the case of personal involvement of the Council member. When calling roll, the Clerk of Council will initiate the vote by repeating the motion in full, then calling the roll of Council alphabetically, and on each succeeding vote shall rotate the roll call in that on the next vote and each succeeding roll call the next Council member alphabetically shall vote first and the member voting first on the previous roll call shall vote last. The Clerk of Council will note the last roll call vote of a meeting so that at the next meeting of Council, the first roll call vote shall reflect the alphabetical rotation from the last meeting and shall continue from meeting to meeting.

2. The Clerk of Council will give the tally of votes to the Mayor and the Mayor will give the final passage or failure of the motion.

Section K.

Any member who was absent or voted with the prevailing side may move a reconsideration of any action of Council, excepting measures which shall be into immediate effect. Such a motion for reconsideration shall be made not later than the next regular meeting after the action to which it relates was taken. No motion to reconsider shall be made more than once on any measure and such motions shall require a majority of all members elected to Council in order to prevail. Any member of Council may second such a motion.

Section L.

An appeal may be made from any decision of the Presiding officer (except when another appeal is pending) but it can be made only at the time the ruling is made. If this appeal is seconded, the chair shall state clearly the question at issue, and the chair's reason for the decision if he thinks it is necessary and will then state the question thus; "The question is 'Shall the decision of the Chair be sustained'" If a majority vote yea, the ruling of the chair is sustained, otherwise the chair is overruled.

Section M.

No member of Council can speak a second time to a question as long as any member desires to speak who has not spoken to the question.

Section N.

Any member of Council, during debate, may seek the advice and recommendations of non-Council members present and this may then be given.

Section O.

In the absence of a rule to govern a point or procedure, the latest edition of Robert's Rules of Order shall govern.

RULE VII: ORDER AND DECORUM

The presiding officer shall preserve decorum and any member of Council may call a point of order, subject to appeal of Council.

Section A.

Council members must obtain the floor and be recognized by the Chair before beginning to speak. Council members shall preserve order and decorum and

shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or the rules of Council. All Council Members shall demonstrate appropriate respect for others by addressing members of Council as follows: (Mr. Mayor, Mr. (Name), Ms. (Name), or Mrs. (Name)). Additionally, all guests and/or members of the public will be addressed with the same respect by members of Council.

Section B.

Employees of the Village shall observe the same rules of procedure and decorum applicable to members of the Council. The presiding officer shall have the authority to preserve decorum in meetings as far as staff members and Village employees are concerned.

Section C.

Public members attending Council meetings also shall observe the same rules of propriety, decorum, and good conduct applicable to members of Council. Any person making personal, impertinent, and/or slanderous remarks or who become boisterous while addressing the Council or while attending the Council meetings shall be removed from the room as directed by the presiding officer. Any public member desiring to address the Council shall be recognized by the chair, shall state his name and address in an audible tone for the record, and shall limit his remarks to the question under discussion.

RULE VIII: CLERK OF COUNCIL

The Clerk of Council shall keep the minutes of the meeting and shall perform such other duties in the meeting as may be ordered by the Council. The Clerk of Council may assign a clerical employee of the Village to assist in carrying out the duties of the Clerk. The Clerk of Council shall furnish each member of Council and the Mayor with a copy of the minutes of the meeting, and shall perform other duties outlined in Section 3.11 of the Waynesville Charter.

RULE IX: LAW DIRECTOR

The Law Director shall attend meetings of the Council by request. During Council meetings, any member of the Council may, at any time, call upon the Law Director for an oral or written opinion to decide any question of law. However, should the question to be decided require, in the opinion of the Law Director, study or investigation, he may defer such opinion for a reasonable time. The Law Director will also perform duties outlined in Section 6.03 of the Waynesville Charter.

RULE X: ATTENDANCE

Section A.

Regular Attendance - A Council seat of a member may be declared vacant when he has been absent from meetings for three consecutive meetings without a valid excuse. Such action requires the affirmative vote of two-thirds of the members elected to Council. Under this procedure, the accused member of Council must be given notice and an opportunity to answer charges that are brought against him.

Section B.

Vacations - Vacations shall be condoned by Council without reprisal for a period of thirty days or two contiguous Council meetings. More time could be allowed contingent upon vote by Council.

RULE XI: TRAVEL ON OFFICIAL BUSINESS

State sponsored conventions, such as the Ohio Municipal League and others, necessitate some rule of compensation for Village officials whose attendance would enable them to be more effective and efficient in the respective positions. Recognizing this need, we propose that advance authorization be secured from Council, along with full disclosure regarding the content and purpose of the respective association meeting.

Documentation of Expenses - All requests for reimbursement of approved travel expenses must be accompanied by original copies of receipts for requested amounts, and must accompany the designated Expense Reimbursement Report document currently in use.

Mileage Reimbursement - Actual reimbursement should be at a rate consistent with the most current Internal Revenue Service allowable rate, per mile traveled to and from the meeting destination via the most direct route.

Lodging - If overnight lodging is required for any convention meeting occurring in or out of the State of Ohio, the Village official shall be reimbursed for the actual cost of the lodging, but not to exceed the lowest rate available in the most reasonable accommodations available. The name and address of the establishment and the amount claimed shall be required with the expense reimbursement form. Reimbursement shall not be allowed for staying in a private home.

Meals - Where overnight lodging is required on official Village travel, reimbursement shall be allowed for meals as reflected in 4.5 of Personnel Policy. ~~at the actual cost involved, but not exceed twenty-five (\$25.00) dollars per day.~~

Insurance Coverage - Any Village official required to travel using a personal vehicle for attendance at, or to participate in, a previously approved activity as noted above, must maintain Liability insurance coverage in compliance with Ohio state minimum requirement, and must be able to provide appropriate documentation of said coverage to the Clerk of Council for recording.

RULE XII: VACANCIES, FORFEITURE OF OFFICE, AND FILLING VACANCIES

Section A.

"Vacancies - The office of a Council member shall become vacant upon the Council member's death, resignation, removal from office in any manner authorized by this Charter, or forfeiture of office.

Section B.

Forfeiture of Office - If it is so determined by an affirmative vote of at least four Council members, a Council member shall forfeit office if said Council member:

1. lacks at any time during a term of office, any qualifications for the office prescribed by the Charter;
2. intentionally violates any express prohibition of the Charter;
3. is found to have been a party to a crime involving moral turpitude or any felony, or guilty of misfeasance, malfeasance or nonfeasance in the performance of the official duties of a Council member;
4. fails to attend three consecutive regular meetings of Council without being excused or it is found that the absence is not legitimate. Council shall, by rule, determine and list conditions and circumstances that constitute good cause absence.

Section C.

Disability - On questions of disability involving the Mayor or other Council member, the decision as to actuality of the time of, and duration of the disability, for purpose of declaring a vacancy, shall be determined by an affirmative vote of at least four members of Council." (Section 3.05, Waynesville Charter)

Member of Council Qualifications - Candidates for the office of Member of Council, shall have resided in the Municipality for at least one year prior to

assuming office. Each Member of Council when elected and throughout the term of office shall be and must remain a resident and a qualified elector of the Municipality. (Section 3.03, Waynesville Charter)

Filling of Vacancies - Vacancies in the office of Council member shall be filled within forty-five days by an affirmative vote of at least four of the remaining members of Council. If a vacancy occurs in one or more positions among Council members elect, Council of the new term shall appoint, by an affirmative vote of at least four members, an eligible citizen of the Municipality of Waynesville. If the Council fails to do so within forty-five days following the occurrence of the vacancy, the power of Council to fill the vacancy shall lapse and the Mayor shall fill the vacancy by appointment immediately following the expiration of the said forty-five days. The person so appointed shall serve until the next regular general election occurring not less than ninety days thereafter at which time a successor shall be elected for the remainder of the unexpired term. (Section 3.05D, Waynesville Charter)

Council to receive two weeks notice prior to the vote as to who the candidates are, which will give them the opportunity to personally interview the candidates.

RULE XIII: DISPENSATION OF RULES

These rules, or any part thereof may be temporarily suspended at any meeting of Council by a majority vote of the members present.

RULE XIV: AMENDMENT TO RULES

These rules continue in full force and effect from term to term and do not need to be readopted by succeeding Councils. These rules may be repealed, amended, altered, or new rules adopted at any regular meeting of Council by a majority vote of 5 out of 7 members of Council on the report of a committee to which the subject has been referred.

VILLAGE OF WAYNESVILLE COUNCIL PROTOCOLS

ALL COUNCIL MEMBERS

All members of the Village Council, including those serving as Mayor and President, have equal votes. No Council Member has more power than any other

Council Member, except those powers provided to the Mayor in Section 3.01 of the Village Charter, and all should be treated with equal respect.

All Council Members are required to:

- Demonstrate honesty and integrity in every action and statement
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Waynesville government
- Work for the common good, not personal interest
- Prepare in advance of Council meetings and be familiar with issues on the agenda
- Fully participate in Village Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Participate in scheduled activities to increase Council effectiveness
- Review Council procedures, such as these Council Protocols, at least annually
- Represent the Village at ceremonial functions at the request of the Mayor
- Be responsible for the highest standards of respect, civility and honesty in ensuring the effective maintenance of intergovernmental relations
- Respect the proper roles of elected officials and Village staff in ensuring open and effective government
- Provide contact information to the Clerk of Council in case an emergency or urgent situation arises while the Council Member is out of town

OHIO ETHICS LAW

Public officials and employees may not use the authority or influence of their office to benefit themselves, their family members or business associates, or others in circumstances that create a conflict of interest.

In situations where a conflict does occur, an official is not only prohibited from voting on such a matter, but also from:

- participating in discussions;
- participating in deliberations;
- making recommendations;
- providing advice; and
- formally or informally lobbying.

The Ethics Law prohibits a public official or employee from soliciting, accepting, or using a public position to secure things of value that could have a substantial and improper influence on the employee. Things of value can include many things, like money, gifts, real estate, employment, and compensation.

The Ethics Law prohibits a public official or employee from soliciting or accepting 'anything of value,' if the thing of value could have a substantial and improper influence on him in the performance of public duties.

'Anything of value' is defined in state law to essentially include anything with any monetary value. So, before a public servant accepts a gift or thing of value, both the source and the value must be considered.

The Ethics Law prohibits public officials and employees from accepting substantial things of value from improper sources. The word 'substantial' is not defined by a specific dollar amount, so the Ethics Commission has provided guidance to help public servants understand and comply with the law.

Items that are considered nominal – and therefore not prohibited - could include a cup of coffee, a box of popcorn, an inexpensive picture frame, or a plate of cookies. Accepting gifts of this type would not be prohibited under the law. Be aware, though, that the Commission has cautioned that nominal items or expenses could have a substantial cumulative value if extended over time.

So, while a public servant would not be prohibited from accepting the occasional modest gift from a vendor or regulated party, routine acceptance of such gifts from the same source will add up over time.

In addition to determining the value of a gift, a public servant must also consider the source – or the giver – of the thing of value. The Ethics Law prohibits public officials or employees from accepting substantial things of value from improper sources.

COUNCIL CONDUCT WITH ONE ANOTHER

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to improve the quality of life in the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

In Public Meetings

- Use Formal titles.

The Council should refer to one another formally during Council meetings as Mayor, President or Council Member followed by the individual's last name.

- Practice civility and decorum in discussions and debate.

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. Be respectful of diverse opinions.

- Honor the role of the presiding officer in maintaining order and equity.

Respect the Chair's effort to focus discussion on current agenda items. Objections to the Chair's actions should be voiced politely and with reason, following the parliamentary procedures outlined in the latest edition of Robert's Rules of Order.

- Demonstrate effective problem-solving approaches.

Council Members have a public stage to show how individuals with disparate points of view can find common ground and seek compromise that benefits the community as a whole. Council Members are role models for residents, business people and other stakeholders involved in public debate.

- Be respectful of other people's time.

Stay focused and act efficiently during public meetings.

In Private Encounters

- Treat others as you would like to be treated.

Ask yourself how you would like to be treated in similar circumstances, and then treat the other person that way.

COUNCIL CONDUCT WITH STAFF

Governance of a Village relies on the cooperative efforts of elected officials, who set policy, and Village staff, which analyze problems and issues, make recommendations, and implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- Treat all staff as professionals.

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. As with your Council colleagues, practice civility and decorum in all interactions with Village staff.

- Channel communications through the appropriate senior Village staff.

Questions of Village staff should be directed only to the Village Manager, Law Director, Clerk of Council or Finance Director. The Office of the Village Manager must be copied on any correspondence to Department Heads. Council Members should not set up meetings with Village staff directly, but through the Village Manager who will attend any meetings with Council Members. When in doubt about what staff contact is appropriate, Council Members should ask the Village Manager for direction. However, nothing in these protocols is intended to hinder the access Council-appointed liaisons may require in order to fulfill their unique responsibilities.

- All Council Members should have the same information with which to make decisions.

- Never publicly criticize individual employees, including Council-Appointed Officers. Criticism is differentiated from questioning facts or the opinion of staff. All Critical comments about staff performance should only be made to the Village Manager through private correspondence or conversation.

- Do not get involved in administrative functions.

Avoid any staff interactions that may be construed as trying to shape staff recommendations. Council Members shall refrain from coercing staff in making recommendations to the Council as a whole.

- Be cautious in representing Village positions on issues.

Before sending correspondence related to a legislative position, check with Village staff to see if a position has already been determined. When corresponding with representatives of other governments or constituents remember to indicate, if appropriate, that the views you state are your own and may not represent those of the full Council.

- Do not attend staff meetings unless requested by staff.

Even if the Council Member does not say anything, the Council Member's presence may imply support, show partiality, intimidate staff, or hamper staff's ability to do its job objectively.

- Depend upon the staff to respond to citizen concerns and complaints.

It is the role of Council Members to pass on concerns and complaints on behalf of their constituents. It is not, however, appropriate to pressure staff to solve a problem in a particular way. Refer citizen complaints to the Village Manager. The Village Manager is responsible for making sure the Council Member knows how the complaint was resolved.

- Do not solicit political support from staff or request staff assistance on any issue related to a political campaign.

COUNCIL CONDUCT WITH BOARDS AND COMMISSIONS

The Village has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the Village Council. They are a valuable resource to the Village's leadership and should be treated with appreciation and respect. Council Members serve as liaisons to Boards and Commissions, according to appointments made by the Mayor, and in this role are expected to represent the full Council in providing guidance to the Boards or Commission. In other instances, Council Members may attend Board or Commission meetings as individuals, and should follow these protocols:

- If attending a Board or Commission meeting, identify your comments as personal views or opinions.

Council Members may attend any Board or Commission meeting, which are always open to any member of the public. Any public comments by a Council Member at a Board or Commission meeting, when that Council Member is not the liaison to the Board or Commission should be clearly made as individual opinion and not a representation of the feelings of the entire Village Council.

- Limit contact with Board and Commission members to questions of clarification.

It is inappropriate for a Council Member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer, or to advocate a particular policy perspective. It is acceptable for Council Members to contact Board or Commission members in order to clarify a position taken by the Board or Commission.

- Remember that Boards and Commissions are advisory to the Council as a whole, not individual Council Members.

The Village Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. Council Members should not feel they have the power or right to threaten Board and Commission members in any way if they disagree about an issue. A Board or Commission appointment should not be used as a political "reward."

- Concerns about an individual Board or Commission member should be pursued with tact.

If a Council Member has a concern with the effectiveness of a particular Board or Commission member and is comfortable in talking with that individual privately, the Council Member should do so. Alternatively, or if the problem is not resolved, the Council Member should consult with the Mayor, who can bring the issue to the Council as appropriate.

- Be respectful of diverse opinions.

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on Boards and Commissions, but must be fair to and respectful of all citizens serving on Boards and Commissions.

- Keep political support away from public forums.

Board and Commission members may offer political support to a Council Member, but not in a public forum while conducting official duties. Conversely, Council Members may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Council Member.

- Maintain an active liaison relationship.

Appointed Council liaisons are encouraged to attend all regularly scheduled meetings of their assigned Board or Commission, or to arrange for an alternate.

COUNCIL ACKNOWLEDGES STAFF CONDUCT WITH VILLAGE COUNCIL

- Respond to Council questions as fully and as expeditiously as is practical.

If a Council Member forwards a complaint or service request to the Village Manager or a Council Appointed Officer, there will be follow-through with the Council Member as to the outcome.

- Respect the role of Council Members as policy makers for the Village.

Staff is expected to provide its best professional recommendations on issues. Staff should not try to determine Council support for particular positions or recommendations in order to craft recommendations. The Council must be able to depend upon the staff to make independent recommendations. Staff should provide information about alternatives to staff recommendations as appropriate, as well as pros and cons for staff recommendations and alternatives.

- Demonstrate professionalism and non-partisanship in all interactions with the community and in public meetings.

- It is important for the staff to demonstrate respect for the Council at all times. All Council Members should be treated equally.

OTHER PROCEDURAL PRACTICES

- Commit to annual review of important procedural issues.

At the beginning of each year, the Council will review the Council rules and protocols, adopt procedures for meetings and other important procedural issues.

- Don't politicize procedural issues (e.g. minutes approval or agenda order) for strategic purposes.

- Submit questions on Council agenda items ahead of the meeting.

In order to focus the Council meetings on consideration of policy issues and to maintain an open forum for public discussion, questions which focus on the policy aspects of agenda items should be discussed at the Council meeting rather than in one-on-one communications with staff prior to the meetings. Any clarifications or

technical questions that can be readily answered can be handled before the meeting. Council Members are encouraged to submit their questions on agenda items to the appropriate Council Appointed Officer or Village Manager as far in advance of the meeting as possible so that staff can be prepared to respond at the Council Meeting.

- Respect the work of the Council standing committees.

The purpose of the Council standing committee is to provide focused, in-depth discussion of issues. Council is expected to respect the work of the committees.

Note: It is the responsibility of each Council Member to hold their colleagues accountable to these protocols. Enforcement of these protocols will be the focus of continued Council discussion.

ORDINANCE NO. 2021-015

AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH PCI SERVICES AND DECLARING AN EMERGENCY

WHEREAS, it is necessary for the Village of Waynesville to run electric wires to certain wells; and

WHEREAS, PCI Services has submitted an acceptable proposal for said work.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Waynesville, _____ members elected thereto concurring that:

Section 1. That the Village Manager is hereby authorized to execute a contract with PCI Services pursuant to the terms of the proposal attached hereto as Exhibit A.

Section 2. That the Finance Director is authorized to pay PCI Services an amount not to exceed \$43,000.00 pursuant to the terms of the proposal

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to accept the proposal at the earliest possible date.

Adopted this _____ day of _____, 2021.

Attest: _____
Clerk of Council

Mayor

PCI Services

62 Big Pine rd.
Winchester, OH 45697 US
9375159369
nmerrill6@gmail.com

Estimate

ADDRESS

Village of Waynesville
1400 Lytle Rd
Waynesville, OH 45068
United States

ESTIMATE # 0012065

DATE 04/05/2021

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
04/05/2021	Service	excavtor and operator to dig 1500 foot trench	1	4,000.00	4,000.00
04/05/2021	Service	labor to install conduit and pull boxes	50	50.00	2,500.00
04/05/2021	Service	labor to pull wire	100	50.00	5,000.00
04/05/2021	material	Materials 3000 feet 2 inch conduit, 7 pull boxes, 9000 feet #2 copper wire, 3000 feet #6 ground, and misc conduit fittings bucketr of pull string estimate on copper wiring subject to change due to better field measurment when conduit is install and do to price of copper changing daily village responsible to locate water main	1	27,500.00	27,500.00

TOTAL

\$39,000.00

Accepted By

Accepted Date

Thank you for your bussiness

Me14398

Ce14399

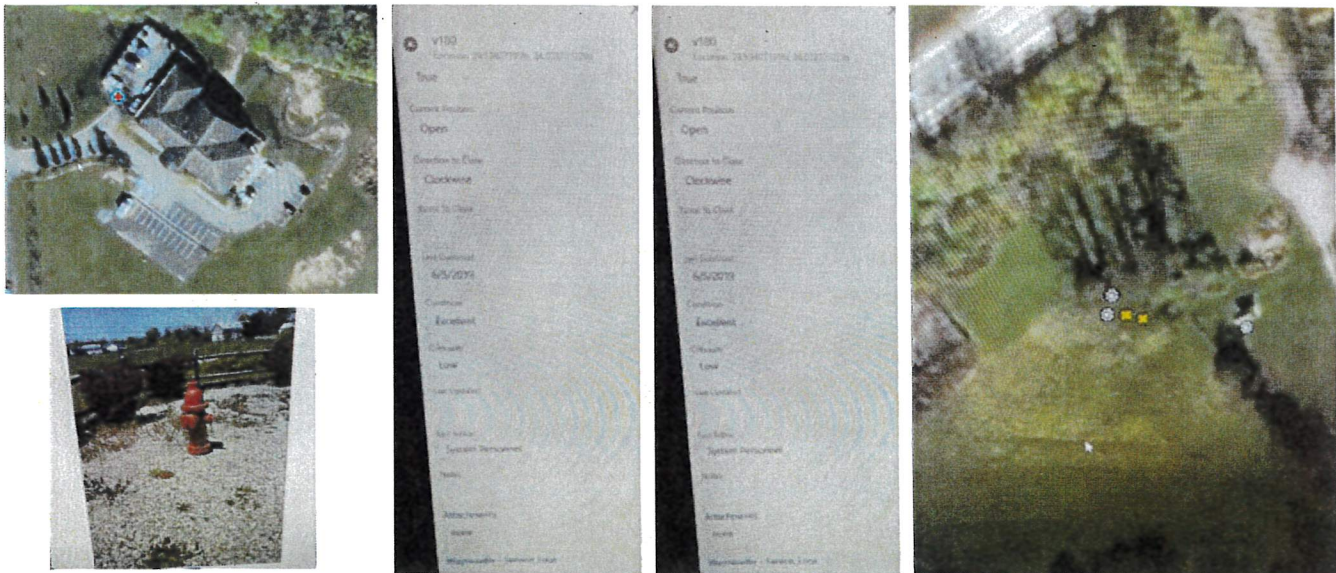
Council Report

May 3, 2021

Chief Copeland

Manager

- Nelson, Dylan, and Jamie of the Village Water Department had a training session with Mike Copeland from Ohio Rural Water on how to use and input data into the new ESRI GIS Mapping System. They will begin to mark meter pits, valves, fire hydrants, and anything related to the water infrastructure. In addition, the staff will document maintenance program dates and times like when hydrants are flushed, valves are exercised, water breaks are repaired, etc. This will help improve the longevity, accuracy, and performance of our system. I have provided photos on a computer monitor. For example, the top left photo shows the hydrant location and a picture of the hydrant directly below. The description next to it tells the direction to open, how many turns, last time it was flushed, the capacity, etc. The picture on the right side is the choleric building. This shows where the valves are at (white symbols) and break repairs (yellow Xs). It also identifies the waterline size, last exercised date, open or closed valves, etc.



- Ashlee Fence Enterprises started installing the 8' fence on Wednesday, April 28th in the rear lot of the Government Center, Village Water plant, and the well field.
- Brian and Greg did a scrap metal run to River Metals Recycling on March 29th and received \$122.50 which has been turned over to the Finance Director Kitty Crockett.

- Smith Corp is completing the punch list on the Phase III project. The damaged curbs were formed and poured on April 27th along with other needed repairs. Jurgensen's Paving Company has milled High, Miami, and Edwards. They will begin paving between Wednesday (April 28th) and Tuesday (May 4th). Photos of the job site have been provided.



- We participated in the Annual Recycling Rally and Drug Take Back Program on April 24th. Brian and Greg of the Maintenance Department assisted with the scrap metal as seen in the photo provided.



- Jamie and I will have our next meeting with Legand Webworks at 11am on May 4th to go over the next step on the new Village website.

- Nelson and I met with Al Boone from Boone Water Systems and Nathan from PCI Services to test the pump at Well #7. Warren County Water assisted by providing a portable 50 kw generator that was set up onsite. We connected the generator to the pump and ran 480 volts to the motor. When it was running 480 true volts, the pump was working great and pumping approximately 300 gpm to the chlorine station. When the hard line was tested, it appeared that there was a significant reduction in the voltage. This could be due to an old deteriorating power line, the line being too small, grounding problem or a combination of issues. It is believed that the heat generated has damaged the coatings and the wires have been susceptible to ground water intrusion and degradation. It was recommended to install a larger shielded line out to wells 6 and 7 with a unit to modify the frequency of the wave band. In addition, they would run an empty conduit for future growth or needs. I advised them that I would like an electrical engineer to research this and provide plans and drawings. This will also help us stay in compliance with EPA requirements. We have contacted Stephen Canter, P.E. of Environmental Engineering Service in Lebanon, Ohio to provide us with a quote.



- I am getting estimates to do repairs on the South Main Street Maintenance storage facility. We will be looking at a new metal roof, paint the exterior, and replace the old garage doors. The goal is to get it to match the décor of the new water distribution building (Sawyer Bldg) which is next door. In addition, this will help make the downtown area look nicer. We have appropriated \$30,000.00 in the budget for this project.

- Charlie from EPanel Plus is doing the finishing work to the Village Water Distribution Station. We are still waiting for DP&L to install the building master meter and we are still operating off a temporary meter. The guard rails and poles from the Warren County Garage have been picked up and the Maintenance Department has been installing them on each side of the building. I have provided photos of Brian and Greg putting up the guard rails.



Police

- Sgt. Denlinger and SRO Mermann did the drug take back and collected a total of 141lbs of prescription pills and powder. This amount included the dispensatories from the Government Center and Fields Pharmacy. The items were transported and turned over to the Dayton Drug Enforcement Agency on Monday, April 26th.
- I have 20 of the signs being displayed currently being made locally by Designs Now on SR42. They will be installed on both sides of Main Street.



River Metals Recycling LLC

Xenia Facility

840 Jasper Rd.

Xenia, OH 45385

(937) 372-3533

Village of Waynesville

Date: 03/29/21

Check No: 90021965

TICKET#	SHP DATE	COMMODITY	GROSS	TARE	NET	VEHICLE ID	PRICE	UM	FRT	EXT	TOTAL	AMT
TOQYFB	03/29/21	Sheet Iron	13000	11600	1400	WAYNESVILLE	175.0000	NT		0.00		122.50
VENDOR VILL29 TOTALS (Pounds):					1400						TOTAL DUE: \$	122.50

TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 11 SECURITY FEATURES

River Metals Recycling LLC

Xenia Facility
840 Jasper Rd.
Xenia, OH 45385
(937) 372-3533

DATE

03/29/21

No. 90021965

56-503
422

VOID AFTER 90 DAYS



Miamisburg, Ohio

CHECK AMOUNT

\$**122.50**

PAY EXACTLY *****122 DOLLARS AND 50 CENTS

TO
THE
ORDER
OF

Village of Waynesville
1400 Lytle Rd
Waynesville, OH 45068

REQUIRES TWO MANUAL SIGNATURES OVER 10,000

AUTHORIZED SIGNATURE



DRAFT

PUBLIC WORKS COMMITTEE MEETING –

April 5, 2021 –

MEMBERS PRESENT: Zachary Gallagher, Chris Colvin

GUESTS PRESENT: Connie Miller, Brian Blankenship, Joette Dedden, Earl Isaacs

STAFF PRESENT: Chief Copeland, Jamie Morley

1. Meeting called to order at 6:05 PM by Mr. Gallagher.
2. Quorum was achieved – Two members were present.
3. Mr. Gallagher made a motion to excuse Mr. Lauffer and was seconded by Mr. Colvin.
2 Yeas
4. Mr. Colvin made a motion to approve minutes of the March 1, 2021 meeting as written and was seconded by Mr. Gallagher.
2 Yeas
5. Chief Copeland went over projects going on throughout the Village.
 - a. Chief met with Charlie from Epanel to go over the new water distribution station. Both sides are working and had him double brace the sprouts. Still waiting for DP&L to install a master meter. Will need to run an electrical line to the storage garages behind distribution station. The distribution building has been insulated and heated and will have cameras up by next week. Chief stated he was thinking of installing a picnic table for the haulers to sit on while filling up. He also said he wanted to get the storage barns roofed with metal roof to match the water station and install new garage doors. The barns are used to store barrels, barricades, and water parts. Mr. Colvin asked if after the building is completed, will there be any continued maintenance contracting? Chief stated that only the card readers have a contract, which has been done for years. This was the good thing about using the same vendor. Did a punch out list with Epanel for items that need to be completed.
 - b. Well 7: Al Boone installed the 40-horsepower motor to Well 7 but there was not enough power reaching the well and the motor kept kicking off. The line going to the wellhead needs to be 480 volts but is only reading 400 volts. Have a quote from Nathen from PCI for about 39K. 70% of the cost is materials. Well 7 is an important well especially during the rainy season as this is the well that is built up out of flood plain. Chief suggested that it would be best to have an ordinance at the next meeting and passed as an emergency. Mr. Colvin asked if the funding was available. Ms. Morley responded that the water tank cleaning project had 375K appropriated and the bid came in at 165K. The unappropriated funds could be used to pay for wiring the

wellheads. Chief will ask about the possibility of daisy chaining the line if a new well is put in across the Mill Creek.

- Mr. Colvin made a motion to have Chief Copeland have legislation drawn up to accept the quote to rewire the wellheads as an emergency for the next Council meeting on April 19, 2021 and was seconded by Mr. Gallagher.

2 yeas

- c. The Village should receive \$632K from the American Rescue Plan. Chief stated he would like to start researching to use this money to add a water plant at the wellfield.
 - d. It has been determined that the water department can create a loop and use Covey to supply the whole system with water during the Lytle-Ferry Rehabilitation Project. The Village will only have to open the emergency connection with Warren County if absolutely necessary.
 - e. Do not have start dates for the Lytle-Ferry Tower rehabilitation project.
 - f. The water department did continued restoration to the PRV vault on Route 73 because of settling.
 - g. There have been rumors that the plats of land for sale around Victoria Place have had offers but have not heard anything definitive.
 - h. The connection at Miami to complete the loop has been finished and is working well. The next school year the new elementary school should be opened and construction on the new performing arts building should be beginning.
 - i. The Edwards/High OPWC grant is finishing up. Did a walk through and there are a few items that SmithCorp needs to do complete, like removing a few valves and have a riser installed on a manhole sewer cover. The project came in underbudget. Still waiting to hear the dates for the repaving.
 - j. The fencing should be started soon. The final quote came in a little over 15K to include a slide door and fencing at the wellfield.
 - k. The Street Department should be getting the hotbox out to fill potholes. Will make sure they make it out to Adamsmoor. At this time, there was discussion on which streets should be repaved this year. It was agreed that Adamsmoor was on the list. Third Street should also be repaved if the Village wins the OPWC small business grant.
6. Mr. Gallagher made a motion to adjourn at 6:52 PM and was seconded by Mr. Colvin. All were in favor.

Jamie Morley
Clerk to Council

DRAFT

**Village of Waynesville
Minutes of Committee on Short Term Rentals
April 22, 2021 at 6:00 pm**

The meeting was called to order at 6:00.

Present: Zach Gallagher
Joette Dedden
Connie Miller

Guests: Chris Colvin
Mayor Isaacs
Brian Blankenship

Mrs. Miller moved to nominate Ms. Dedden to serve as Chairman, Mr. Gallagher seconded. The motion carried.

Ms. Dedden read information collected by the Law Director Jeff Forbes about laws concerning short term rentals (STR) in Cincinnati, Columbus, Dublin, Yellow Springs. The cities of Evendale and Oakwood ban all STR.

Ms. Dedden presented the laws of Gates Mills, a town of similar size to Waynesville. They have prohibited STR, as have Bellbrook, Blue Ash, Grandview Heights, and North Royalton.

Among the cities that permit STR Hudson regulates under the business codes. Mayfield Heights has very tough regulations. Xenia allows STR. The typical regulations concern the number of people allowed to stay, also the number of cars and where they are allowed to park.

Ms. Dedden suggested 4 possible ways the committee might proceed:

- 1) Prohibit all STR
- 2) Allow STR only in areas zoned Residential/Commercial
- 3) Allow STR in all zones with a permit renewable every year, fees, inspections etc.
- 4) Allow STR as in number three, but must be hosted.

Mr. Gallagher stated that this is all new to the village. He felt it was mostly in large cities and banned in smaller municipalities. STR will require more research and will be regulated under either the business or zoning codes.

Mrs. Miller read a list of things that need to be considered in the regulations such as fire safety, parking, signage, whether they are on a hosting platform such as Airbnb or VRBO or advertised in less formal ways such as Facebook, liability insurance requirements, hosted vs. un-hosted, and can a room in a dwelling such as a duplex or apartment building be rented out.

Mrs. Miller said the committee should also consider what the grounds for the denial of a permit should be, and what the effect would be on existing businesses such as The Hammel House and The Creekwood Motel.

The meeting was then opened to comments from the public.

De Forbin, 11 N Third St. already operates a STR . She spoke from the following document.

To council members, residents, and business owners of Waynesville,

We currently run an air B and B in Waynesville and have thoroughly enjoyed getting to know our guest and enjoy providing a safe and comfortable place for them to stay. We have earned "Super Host" status by offering clean and comfortable accommodations and providing our guest with lots of desirable amenities. We have experienced many from the bike trail who have fallen in love with our little town that were not even aware we had such an inviting town. We love recommending shops and eateries in town and it thrills us as we have gotten so much positive feedback about our town from our guest and how they plan to return. We also have gotten feedback from shop owners thanking us for sending our guest to their places of business. It has been a very positive experience both providing for us and we have loved promoting and giving back to Waynesville.

Air B and B host are represented all over the world and in all but 16 countries. They have a very professional strict process in place with background checks and verifications of both host and guest that holds the guest and hosts accountable and helps to create a safe environment for everyone. Nearby tourist towns such as Yellow Springs have a thriving Air B and B community and it has the data to show the many tourist it brings to their area and businesses. Additionally to put to rest any fears of unruly parties, Air B and B has strict guidelines in place that do not allow for gatherings or parties. If you break those rules you lose your hosting privileges immediately.

We have loved the Air B and B community and the guest we host come from a variety of backgrounds. We have hosted parents with a child traveling for a sporting event, we have hosted woman who were visiting to shop, husbands and wives and other wanting a weekend away or bicyclist needing an overnight as they bike long trips. We also have hosted couples who needed a nights stay to attend a family event close by and while here spent a day in town. Our Clientele have been simply people needing a short stay. Everyone of our guest have also had one thing in common. They all are from far away locations and states looking through Air B and B's website when they found our home. They also in turn found Waynesville and according to their reviews, they love Waynesville now too!

Being a host with Air B and B has provided much needed income for our family and the opportunity to share Waynesville with our guest. It gives us a sense of being a part of the community that we have fallen in love with since moving here.

I am hoping to be grandfathered in as an existing host with currently booked guest. To miss the tourist season as a host would cause financial loss and harm to me as a homeowner.

I have attached a document for councils review as well.

Thank you for your time and consideration, De Forbin

Positives of Short Term Rentals

-It seems **tourism is essential to the future of Waynesville**. Well kept lodging options near the city center should be a plus as tourism returns to normal. It seems individual lodging options like short term rentals can help to boost interest in visiting the town. Waynesville is best if its character is retained- individual homes are a great option for maintaining the small town feel short term guest desire when visiting..

-Especially now that we are coming out of the pandemic- **it would be a detrimental time to limit accommodations in town**. Leaders can be looking for ways to encourage, not discourage additional tourism.

-The **type of people** who generally rent short term in Waynesville are the type that spend money in the restaurants, shops and stores (not partying twenty-somethings who create problems in homes) Our client list shows couples, woman, and families staying that have given beautiful feedback about our town and their new desire to return. As a host, all my guest are professionally verified and background checked as well as we only host guest that have reviews from other host. We are on site present host staying in the same home as our guest with shared spaces so we would immediately know if there were ever a problem. We share meals with our guest and enjoy getting to know them. Below are

reviews from a few of our guest from our Air B and B's page that reflect the type feedback we hear out of every guest we have hosted:

"My husband and I walked into town and felt like we were in a Hallmark movie. The shops were decorated for Christmas. The gazebo in the heart of town was decorated and even had a mailbox for kids to put their letters in for Santa. It had that small town feel where everyone seems to know one another.

It was a special trip to be able to stay in a historical home in a quaint little town."

"This was by the best Airbnb experience I've had yet! Ladies, if you are a lone traveler please consider staying with Deann. She's the sweetest host and her home is instantly warm and inviting. So many thoughtful little touches really make the experience feel like a home away from home! Will definitely stay here again!

"If you plan to bike the Little Miami trail, stay in Waynesville! So close to the trail and Waynesville is a charming town. Deann is a wonderful host - be sure to include a gourmet breakfast to start the day."

"We enjoyed our stay and conversations with her and will definitely come back the next time we are in the area. Stay here! You won't be disappointed!"

"I hope to have the chance to stay again, and I would definitely recommend Deann's for any travelers!"

Positives of Short Term Rentals

-Local business owners benefit directly if more people come and stay in Waynesville.

Short Term Rentals add property value to the community. As short-term host we have a unique motivation to keep our properties in the best shape because our revenue depends on guest being attracted to our homes for accommodations. We also depend on reviews left by guest to attract other guest. If Waynesville grows as a "go to" destination, homeowners may indeed see their values rise as the location becomes more in demand. The city simple needs strict rules about how guests behave and how a host can be disqualified from hosting if their guests are unruly. Being a full time resident Air B and B host if in a residential area can also be a nice "rule" to have as the owner is present and knows what is going on in their home. Short term rentals almost exclusively brings tourist and tourist drive values up so considering allowing any locally owned Air B and B would be a great asset to Waynesville.

-Other towns nearby (that rely on tourism) coexist quite well with short term rentals- for instance- Yellow Springs has a thriving Air B and B community that brings revenue and tourism to Yellow Springs.

-Potential direct revenue: Although as a resident of Waynesville we pay an income tax that is raised by income increase with hosting guest, some towns and cities add a lodging tax to Airbnb so their city can see an immediate benefit. This could be a consideration.

I personally would suffer immediate financial loss and harm due to the halt in I am asking for the consideration of a grandfathering in during the moratorium. I don't believe the homeowners who have petitioned against the rentals can demonstrate actual harm- just potential harm and I understand it did not involve me directly. Since there has not been any direct complaints against Air B and B in our community, I am hoping for your consideration in this while you continue your research.

Carol McNealy, 252 N 4th St owns an art gallery and tea shop on High St. She has spoken to businesses on Main St and the majority seem to support allowing STR as it will attract business.

Ruth Styers, 628 Robindale Dr. said she bought her house 45 years ago and had the reasonable expectation that the area would remain residential. She asked if having an Airbnb in a residential zone would require rezoning? If so what stops other businesses from opening in the neighborhood. She asked if the number of STR per street should be limited.

Sharon Jewell, 661 Robindale Dr. has lived in Waynesville for 54 years. She supports new ideas such as STR but does not think Robindale Dr is the place for it. If she wanted to live in a business area she would have bought there.

Travis Hatmaker, 722 Joycie Lane, said there is a STR on Social Row Rd in Centerville where there was a shooting, there was a similar incident in Middletown. He opposes un-hosted STR.

Matthew Lasley 668 Robindale Dr. is worried about strangers in and out of the neighborhood. His children can currently play outside and he would like that to continue. He however has no issue with hosted STR.

Mike Logan, 1027 Justin Ridge Way stated he thinks the comments have all been valid and with any action by Council there will be winners and losers. Mr Logan spoke from the following document.

WIN WIN WIN WIN opportunity

Win for the homeowners - we are coming out of an economic slowdown and heading into the festival and street fair season. Allowing homeowners to have access to additional revenue is helpful to their strained budgets. And this is the best time of year to capitalize on that.

Win for the Village - the income tax rate for the village was recently raised which would imply a need for additional tax revenue. It seems logical the village would welcome a revenue source by setting up permit fees and income tax revenue on operating AIRBNB/VRBO.

Win for the Waynesville Merchants - anything that draws visitors to the village is beneficial to the business community. Having lodging options, available to enable visitors to stay overnight would only serve to increase the revenue of the businesses in the area, particularly restaurants. Waynesville is a tourist driven economy. It is unique from neighboring communities. Just because Bellbrook and Blue ash don't allow AirBNB doesn't mean Waynesville should follow suit. Additionally the merchant community can partner with the Host community to provide referrals to the local businesses.

Win for the visitors to Waynesville - we tout Waynesville as the 'antique capital of the midwest'. Supporting lodging options for visitors would be very well received and there is a demand for additional and alternative lodgings other than the local hotel and small number of traditional B&B's in the village. People Like AIRBNB which is why it is so successful. Even the local Hotel will benefit as Waynesville becomes an overnight destination.

This is a great opportunity to leverage the growth and popularity of AIRBNB for all parties. This is part of the new economy and embracing the opportunity is a win all the way around .

THE CONCERNS RAISED BY THE PETITIONERS (according to the Dayton daily News Article)

AIRBNB will lower property values - This is false. I researched the effects on property values due to short term rentals and only found references indicating property values actually increase. It's basically a supply and demand equation. If a short term rental property is not available to sell or for long term rent, it reduces supply. Reduced

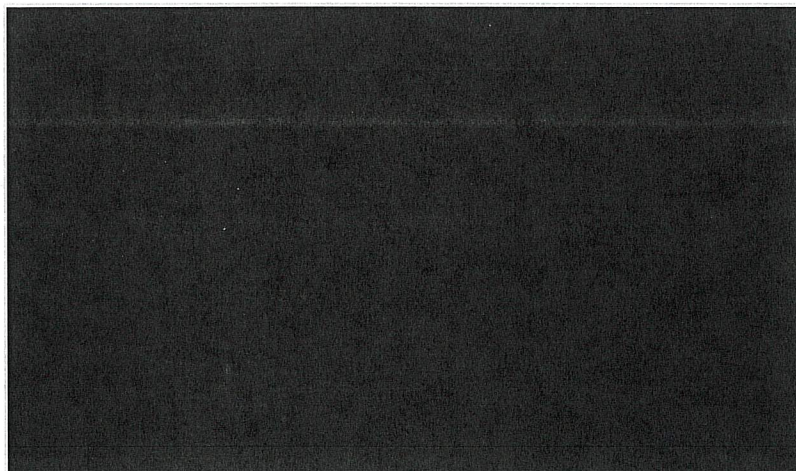
supply increases value in a highly desired area. Waynesville is a highly desired area with limited supply which is why rents and home prices continue to rise.

Research references are below

<https://www.forbes.com/sites/garybarker/2020/02/21/the-airbnb-effect-on-housing-and-rent/?sh=3613378e2226>

<https://www.islandpacket.com/news/business/real-estate-news/article225509145.html>

[Do Airbnbs push up rents and house prices?](#)



Do Airbnbs push up rents and house prices?

Jacob Passy

'Countless families depend on Airbnb to pay their rent and stay in their homes, which has become even more impor...

Drive by shootings have been associated with AIRBNB's. There is no correlation between AIRBNB and crime.

There was an incident in Washington Township off social row. The AIRBNB host was kicked off the platform since he allowed parties at the house. Washington township

had no regulations in place at the time of the incident. They have since adopted regulations and allow AIRBNB's as a conditional use variance. This way neighbors are aware of the activity and the police can shut it down before an irresponsible host brings in a bad tenant/guest .

Shootings are epidemic in the US. Airbnb's do not cause drive by shootings. Do shootings at AIRBNB's occur? Probably. Are they more frequent than other shooting targets? Not likely. Can they be curtailed with village imposed regulations? Yes.

There are shootings in churches, schools, restaurants, post offices, fast food drive throughs, concerts, sporting events, hotels, grocery stores, massage parlors, bars, and every conceivable venue. Unless you consider locking down everything that has had a shooting, this concern should be given the appropriate weight in the decision process based on actual data and statistics.

It can also be managed with expectations of hosts and rules like absolutely no parties or non registered guests.

"she said there were concerns about the element of some renters and felt it would be bad for the community to allow Airbnb rentals"

I assume the concern is that short term rentals attract undesirable elements/guests. Is there data to support this claim? no.

- Someone renting out their property wants it to be respected. They are not motivated to rent to undesirable short term tenants. AIRBNB allows hosts to vet and refuse to rent if guests don't meet an established criteria.
-
- AIRBNB has a rating system. A host will not be in business for long if they get bad ratings. They are therefore motivated to keep the property in excellent condition in order to receive higher ratings. This includes the inside and outside of the property. Nobody wants to stay in a dump. The host is motivated to keep the grass cut and weeds at bay. Long term tenants often don't maintain the property.
-
- HOSTS can, and do set rules on their property such as no parties , no meetings, no smoking, no pets etc.... The village could regulate this by requiring hosts to enforce a set of rules drafted by the village to alleviate any concerns raised by the petitioners. If they break the rules, they lose the permit.
-
- It's likely a short term property rental will be in better condition than a long term rental property because a successful AIRBNB business model requires

it.. Short term guests don't store broken lawnmowers or lawn debris in the back yard. When they leave, they take what they brought. Guests are also rated. If a guest gets negative ratings, they will not find hosts willing to rent to them. so the platform is self regulating through the rating system which motivates guests and hosts act responsibly

Other committee actions to consider

Research AIRBNB. Make sure you fully understand the business model and can navigate the website. Stay at an AIRBNB if you haven't so you get a feel for the appeal. 'Be a tourist'

Seek out and Speak to hosts. Get their point of view. Find out from neighbors if the concerns raised have actually happened? Validate the concerns. Are they real or are they just resistant to any change, even changes that don't affect them.

Talk to the Merchant Community. How do they feel about this? Do they see it as beneficial to their businesses?

Talk to other communities that allow AIRBNB's with regulations. Have any of the concerns occurred AFTER regulations were put in place?

Chuck Dedden, 1232 Anthony Trace, said at first he was totally opposed to STR but after listening to the comments he felt STR could be very beneficial to the community. He hopes that good people who operate STR will not be penalized.

Brian Blankenship, 155 4th St. Read a letter from Andrew Shipman who could not attend the meeting. The text is as follows.

To Waynesville Council Members, my fellow business owners and residence of Waynesville,

When I recently became aware of a 6 month moratorium placed on short term rentals in Waynesville, I immediately became concerned as a life long resident of Waynesville and a business owner as well. Reading the issues brought forward I feel there is some misinformation about what an AirBnb is and what they bring to our town. Not only as a business owner but also as a neighbor of someone who owns an AirBnB, I have only seen positive come from allowing AirBnb guest in our town and in her home. We know first hand that people who frequent AirBnb homes are also people who visit small towns, our town. The shops and our cafes have only benefitted from having these tourist present. We have had customers come in stating that they were staying at an Airbnb in the area. There are some limitations in our town for drawing guest. We have the historic Hammel House and The Creekwood Hotel in town. Having Airbnb homes give other options to the people who prefer to stay in someone's home. The more overnight options given to the tourist, encourages more tourism. We want our towns shops and cafes to thrive as this is the heartbeat of Waynesville and when the town does well, the property values go up and more people benefit.

Having AirBnb next door in no way has disrupted our life and we have not even been aware when there were guest unless our neighbor told us in passing. I also feel like in no way has it deleted property value or can I see how it could. My Neighbors home is well kept and I have witnessed many improvements she has made. She has prepared her home and kept her curb side appeal nicely kept because of the ongoing motivation to draw more guest to stay.

In closing, I feel once the facts are looked at, we will be able to see how tourism in Waynesville is a very good thing and the free promotion of our town through AirBnb and their host brings tourism. I also believe we can be ensured that the owners of these hosting homes will be motivated to keep their properties beautiful as they are promoting their very homes. I know for my neighbor this also provided needed income. What is wonderful is that it provides in a way that benefits her and her family as well as benefitting Waynesville as a whole. I am putting my vote in for allowing short term rentals to continue as a positive means of bringing tourist to our wonderful town.

Sincerely,
Andy Shipman

There was some general discussion by all.

The meeting was adjourned at 7:40pm.

Respectfully submitted,
Connie Miller