



COUNCIL AGENDA

Monday, May 15, 2023 – 7:00 pm
Waynesville Municipal Building, 1400 Lytle Road

- I. Roll Call
- II. Pledge of Allegiance
- III. Mayor (for purposes of acknowledgments)
- IV. Disposition of Minutes of Previous Meetings
Council, May 1, 2023 at 7:00 p.m.
- V. Public Recognition/Visitor's Comments (A five minute per person time limit will be allowed for each speaker unless more time is requested and approved by a majority of the council)
- VI. Old Business
- VII. Reports
 - Standing Council Committees
 - a) Finance Committee
 - b) Public Works Committee
 - c) Special Committees
 - Village Manager's Report
 - Police Report
 - Finance Director's Report
 - Law Directors Report
- VIII. New Business:

Legislation:

Reading of Ordinances and Resolutions:

First Reading of Ordinances and Resolutions:

ORDINANCE 2023-021

AN ORDINANCE VACATING A PORTION OF THIRD STREET, AUTHORIZING CONVEYANCE OF THE PROPERTY TO ABUTTING OWNERS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2023-022

AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH BUCKEYE POWER SALES FOR THE MAINTENANCE OF GENERATORS AT THE COVEY STATION AND GOVERNMENT BUILDING

ORDINANCE NO. 2023-023

AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH STRAWSER CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED \$100,000 FOR THE 2023 MICRO SURFACING PROJECT

Second Reading of Ordinances and Resolutions:

RESOLUTION NO. 2023 - 019

PROPOSING A REPLACEMENT POLICE LEVY AS SET OUT IN OHIO REVISED CODE SECTION 5705.19(J) TO BE SUBMITTED TO THE ELECTORS

Tabled:

IX. Executive Session

X. Adjournment

Next Regular Council Meeting:

June 5, 2023 at 7:00 pm

Upcoming Meetings and Events:

Special Council Meeting, May 15, 2023 @ 6:00 p.m.

Finance Meeting, May 18, 2023 @ 5:00 p.m.

Planning Commission, May 23, 2023 @ 7:00 p.m.

Public Works, June 5, 2023 @ 6:00 p.m.

DRAFT

**Village of Waynesville
Council Meeting Minutes
May 1, 2023 at 7:00 pm**

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

Village Staff Present: Chief Gary Copeland, Village Manager and Safety Director; Jamie Morley, Clerk of Council

***CLERK’S NOTE-** This is a summary of the Village Council Meeting held on Monday, May 1, 2023.*

.....

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

.....

Mayor Acknowledgements

Thank you to Post #615 and the Legion Riders for cleaning up Veterans Park. Also, thanks to the Street Department for fixing the sign at Veteran’s Park after the windstorm blew it over. The park looks nice.

.....

Disposition of Previous Minutes

Mrs. Miller made a motion to approve the minutes as written for the Special Council meeting on April 17, 2023, and Ms. Dedden seconded the motion.

Motion – Miller
Second – Dedden

Roll Call – 7 yeas

Mr. Blankenship made a motion to approve the minutes as written for the Council meeting on April 17, 2023, and Mr. Colvin seconded the motion.

Motion – Blankenship
Second – Colvin

Roll Call – 7 yeas

.....

Public Recognition/Visitor’s Comments

None

.....

Old Business

Ms. Dedden made a motion to have a Special Council meeting on May 15 at 6:00 p.m. to continue the discussion on proposed charter amendments. This motion was seconded by Mr. Blankenship.

Motion – Dedden
Second – Blankenship

Roll Call – 7 years

.....

Reports

Finance

The Finance Committee will meet Thursday, May 18, 2023, at 5:00 p.m. and the public is invited.

Public Works Report

Public Works met this evening and discussed the multitude of projects going on throughout the Village. The next meeting will be on June 5, 2023 at 6:00 p.m. The public is encouraged to attend to learn more about the Village’s infrastructure.

Special Committee Reports

The Parks and Rec Board meeting scheduled for May 15, 2023 at 6 p.m. will be rescheduled as there is no new business to discuss.

Village Manager Report

- Warren County Commissioners approved legislation to allow the Village to use CVT funds on the Village’s portion of the fees for the stoplight at Route 42 and North Street. The fund is currently at \$128K with a projected increase of 12K for the next three years. This should completely fund the Village’s portion of the project.

- Met with George Jiménez, who is opening Mami Finas Mexican Restaurant where the Cobblestone Café used to be. They plan to open sometime in May and are hoping to place a liquor license on the ballot in November.
- The sign at Veterans Park blew over. The Street Department replaced the poles with treated lumber and got the sign back up.
- Working on getting the easement through the back of Harvest Baptist Church property for the water line for Well 10. Hired Rienke to provide the survey and maps to record the easement.
- Moody's tried to take equipment to start drilling Well 10 but got stuck. The road will need to be completed before they can start on the well.
- The ladder to the storage loft at the maintenance barn has been delivered and assembled.
- The Recycling Rally was this past weekend and was a success. The Village provided two maintenance workers to help out and an officer for the Drug Take Back Program.
- Trebel Energy has locked in a price for the Electric Aggregate at 6.83 cents per Kilowatt through Energy Harbor. They have not accepted bids for gas yet. Residents will need to opt out of the program by June 5th if they do not want to participate in the aggregate.
- Collected bids for the waterline from Well 10 to join the current line from Wells 6 and 7. There is an ordinance tonight to approve the bid from Moody for about 60K. This line will need to go under the Mill Race and includes all materials, labor, and permits. It also includes a stub for any future wells to join. Asking Council to amend this ordinance to make it an emergency to lock in the current price.
- A list has been provided of all the items listed for sale on Govdeals.com.
- Brian and Steve of the Water Department have rebuilt 16 meters by piecing together malfunctioning ones.
- There is an ordinance on tonight's agenda for the delivery of materials for the road to Well 10. The County requires a gravel road from the back of the parking lot in Bowman Park through their property. Upon inspection, it was found that the current asphalt drive through Bowman Park is compromised from all the flooding, and large semis carrying gravel would destroy it. Fed Excavating will need to dump the gravel at the wellfield and haul it in single axle dump trucks to the future road. It is estimated to take an additional 170 trips. The ordinance is for the delivery of the gravel and is for an additional 12K.
- Met with Choice One Engineering to go over the upcoming Franklin and Third Street OPWC projects. The bids should go out at the end of May and then be opened and awarded in June.

The project start date will be dependent on when all the materials can be obtained. Many water parts are back-ordered.

- Still waiting for the cybersecurity report.

Police Report

- April Dispatch Calls for Service and Mayor's Court Month End Report will be part of the next Council report.
- April's Code Enforcement Report has been provided for review.
- The Drug Take Back Event at the Recycle Rally was a success.
- Provided a flyer for the appreciation lunch, Operation Enduring Service, for first responders on May 24.
- Attended the Chief's Conference and found it very useful.
- Hired Jim Walker for the 3rd shift on weekends after Officer Greenwood resigned. He will be a great addition to the staff.

Mrs. Miller asked if Sgt. Denlinger could remove the resolved cases from 2021 and 2022 to make the report more streamlined and easier to read. Chief Copeland stated he would relay the request. He also added that Mr. Alexander has asked for the ordinance to be changed so that he is contacted each time one of his properties is in code violation before being cited. Chief Copeland stated that Sgt. Denlinger will send out warning letters to property owners before citing them but if the property is a continuous code violator, they are cited without a warning letter.

Mayor Isaacs asked what was happening at the corner of Route 42 and North Street. Ms. Dedden explained it was to be a home inspection office with garages. She said the plans went through the Planning Commission and the owner was very receptive to making changes to have the building blend in with the aesthetics of the Village.

Financial Director Report

- There is a Public Hearing for the Planning Commission to consider a rezoning request for 407 High Street. Ms. Gabbard is requesting the property be rezoned from R-4 (Residential) to SO (Suburban Office). This property is known as the Friend's Apartments and has a large meeting hall and two apartments. Ms. Gabbard would like to continue to use the space as such and feels a SO zoning would be more appropriate for the usage. The Planning Commission will make a recommendation to Council on the request. Council will then have to have a special hearing to consider the Planning Commission's recommendation and will need to pass an ordinance for it to be rezoned.

Law Report

None

.....

New Business

None

.....

Legislation

First Reading of Ordinances and Resolutions

Ordinance No. 2023-017

Authorizing the Village Manager to Enter into a Contract with Moody’s of Dayton, Inc. in an Amount Not to Exceed \$59,997 to Connect Well #10 to the Village Water System and Declaring an Emergency

Mr. Gallagher made a motion to amend Ordinance 2023-017 to declare it an emergency and Ms. Dedden seconded the motion.

Motion – Gallagher
Second – Dedden

Roll Call – 7 yeas

Mrs. Miller made a motion to waive the two-reading rule for Ordinance 2023-017 and Mr. Gallagher seconded the motion.

Motion – Miller
Second – Gallagher

Roll Call – 7 yeas

Mr. Gallagher made a motion to adopt Ordinance 2023-017 as an emergency and Mr. Colvin seconded the motion.

Motion – Gallagher
Second – Colvin

Roll Call – 7 yeas

Ordinance No. 2023-018

Authorizing the Village Manager to Enter into Contracts the Director of Transportation which are Necessary to Develop Plans for and to Complete the US-42 and Corwin Ave/North St. Signal Project and Declaring an Emergency

Mr. Gallagher made a motion to waive the two-reading rule for Ordinance 2023-018 and Ms. Dedden seconded the motion.

Motion – Gallagher
Second – Dedden

Roll Call – 7 yeas

Mr. Colvin made a motion to adopt Ordinance 2023-018 as an emergency and Mr. Gallagher seconded the motion.

Motion – Colvin
Second – Gallagher

Roll Call – 7 yeas

Resolution No. 2023 - 019

Proposing a Replacement Police Levy as Set Out in Ohio Revised Code Section 5705.19(J) to Be Submitted to the Electors

Ms. Morley explained that the current levy is based on property values from about 20 years ago when the levy was originally passed. This will bring the funding of the police with today's home values. She also added that if the replacement levy does not pass the current levy will remain in place.

Ms. Dedden made a motion to have the first reading of Resolution 2023-019 and Mrs. Miller seconded the motion.

Motion – Dedden
Second – Miller

Roll Call – 7 yeas

Ordinance No. 2023-020

Authorizing the Village Manager to Enter into a Contract with Fed Excavating, Inc. in an Amount Not to Exceed \$12,000 for Delivery of Materials Related to the Construction of a Road to Well #10 and Declaring an Emergency

Mr. Blankenship made a motion to waive the two-reading rule for Ordinance 2023-020 and Mr. Gallagher seconded the motion.

Motion – Blankenship
Second – Gallagher

Roll Call – 7 yeas

Mr. Gallagher made a motion to adopt Ordinance 2023-020 as an emergency and Mr. Blankenship seconded the motion.

Motion – Gallagher
Second – Blankenship

Roll Call – 7 yeas

ORDINANCE 2023-021

AN ORDINANCE VACATING A PORTION OF THIRD STREET, AUTHORIZING CONVEYANCE OF THE PROPERTY TO ABUTTING OWNERS, AND DECLARING AN EMERGENCY.

WHEREAS, the Village owns the public right-of-way known as Third Street, as depicted in the Vacation Plat (the “Property”), attached hereto as part of Exhibit A; and

WHEREAS, it is believed that this portion of Third Street had previously been vacated, but the records of Warren County do not reflect such vacation; and

WHEREAS, pursuant to Chapter 723 of the Ohio Revised Code, the legislative authority of a municipal corporation has the power to vacate land used for street purposes if it has determined that there is good cause for it and the same will not be detrimental to the general interest; and

WHEREAS, following its consideration, the Village Council determined that the vacation of the Property will not be detrimental to the general interest and that there is good cause for it due to the existing conditions of the property.

NOW, THEREFORE, be it ordained by the Council of the Village of Waynesville, __ members elected thereto concurring:

Section 1. That the portion of Third Street as provided in the vacation plat and legal description more particularly described on the Vacation Plat, attached as Exhibit A, is hereby vacated. A copy of the vacation plat and legal descriptions, are on file with the Village.

Section 2. That the Property is no longer needed for transportation or any other municipal purposes and that the vacation and conveyance of the Property at no cost will not be detrimental to the public interest.

Section 3. That the Village convey a fee simple interest in the Property to the adjacent property owners, pursuant to R.C. 723.121, at no cost, as more specifically set forth below with reference to the Parcel Numbers identified on the vacation plat:

VACATION PLAT NO.	ACRES	FROM	TO
Parcel 1	0.1762	Village of Waynesville	Ora Jones and Violet M. Jones, Trustee of the Ora Jones and Violet M. Jones Living Trust
Parcel 2	0.0634	Village of Waynesville	Fields Family Enterprises, Inc.

Parcel 3	0.0665	Village of Waynesville	Harry Michael Bromer
Parcel 4	0.1281	Village of Waynesville	Tincher Properties, LLC
Parcel 5	0.0455	Village of Waynesville	Teri A. Porterfield
Parcel 6	0.1121	Village of Waynesville	Harry Michael Bromer

Section 4. That any public utilities existing within the Property right-of-way are deemed to have a permanent easement pursuant to R.C. 723.041.

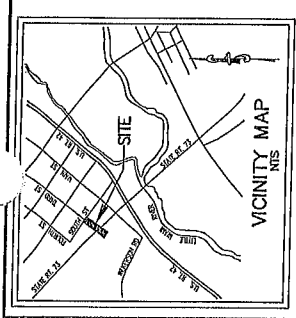
Section 5. That the Village Manager and other Village officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance, including without limitation, granting and accepting easements and executing and recording all ancillary agreements, plats, deeds and other related real estate documents.

Section 6. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village of Waynesville and shall become effective immediately upon its adoption. The reason for said declaration of emergency is the need to vacate the portion of the public street at the earliest possible date.

Passed this _____ day of _____, 2023.

Mayor

Attested: _____
Clerk of Council



BASIS OF BEARINGS
BEARINGS ARE BASED ON THE NAD 83
OHIO STATE PLANE COORDINATE SYSTEM,
GRID SOUTH ZONE 3402, GEOID 2012A

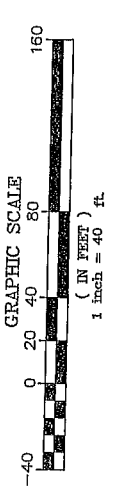
NOTE:
EXISTING PLANIMETRIC FEATURES WERE
DIGITIZED AND ARE NOT THE RESULT
OF A FIELD SURVEY.

VOLUME _____ PLAT NO. _____
WARREN COUNTY ENGINEERS'
RECORD OF LAND SURVEYS
PRELIMINARY ACCESS APPROVAL
NOT APPLICABLE _____ GRANTED

NEIL TUNISON, P.E., P.S.
WARREN COUNTY ENGINEER

PLAT OF SURVEY PARTIAL STREET VACATION THIRD STREET AT U.S. ROUTE 73

LOCATED IN
SECTION 6, TOWN 4, RANGE 4 M.R.S.
VILLAGE OF WAYNESVILLE AND WAYNE TWP. WARREN COUNTY, OHIO
0.5909 ACRES
November 2, 2022
PREPARED BY:



SURVEY SYMBOLS LEGEND:

- EX 5/8" IRON PIN FOUND
 - EX 1" IRON PIPE FOUND
 - (9/8" DIA. 30" LONG)
- ALL MONUMENTS SET AT
COMPLETION OF REVIEW

OCCUPATION STATEMENT

ALL MONUMENTS ARE IN GOOD CONDITION
UNLESS NOTED OTHERWISE.

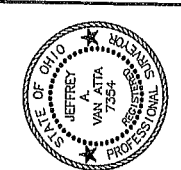
SURVEY REFERENCES:

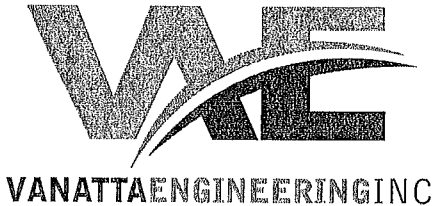
- OR.V. 313, P.C. 151
 - R.L.S. V. 24, PLAT NO. 15
 - OR.V. 173, P.C. 227
 - R.L.S. V. 24, PLAT NO. 11
 - OR.V. 173, P.C. 399
 - R.L.S. V. 100, PLAT NO. 65
 - OR.V. 320, P.C. 363
 - R.L.S. V. 100, PLAT NO. 285
 - OR.V. 4108, P.C. 884
 - SURVEY PLAT V. 23, PLAT NO. 11
 - OR.V. 4206, P.C. 894
 - R.L.S. V. 68, PLAT NO. 62
 - OR.V. 478, P.C. 450
 - OR.V. 2014-01675
- TRANSCRIBED RECORDED 1 PAGES 314-315
TOWN OF WAYNESVILLE

CERTIFICATION:

THIS BOUNDARY SURVEY WAS PREPARED IN ACCORDANCE WITH
CHAPTER 4753.57 OF THE OHIO ADMINISTRATIVE CODE. I CERTIFY
THAT THIS PLAT OF SURVEY WAS MADE UNDER MY DIRECT
SUPERVISION AND IS BASED ON AN ACTUAL FIELD SURVEY DATED
JANUARY 7, 2022.

PRELIMINARY
JEFFREY A. VAN ATTA
PROFESSIONAL OHIO REGISTERED SURVEYOR #7354





570 Congress Park Dr • Dayton, OH 45459 • P 937.438.5650 F 937.438.5645

November 2, 2022

**PARTIAL THIRD STREET VACATION
TOTAL VACATION AREA PARCEL – 0.5909 ACRES**

LOCATED IN SECTION 6, TOWN 4, RANGE 4 M.Rs., VILLAGE OF WAYNESVILLE, WAYNE TOWNSHIP, COUNTY OF WARREN, STATE OF OHIO AND BEING A PART OF THIRD STREET, DEDICATED ON THE TOWN OF WAYNESVILLE, TRANSCRIBED RECORD 1 PAGES 314-315, A PUBLIC RIGHT-OF-WAY, TO BE VACATED AND BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A SET IRON PIN WITH VAN ATTA CAP THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY AND THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY;

THENCE LEAVING SAID SOUTH STREET INTERSECTION ALONG THE SOUTH RIGHT OF WAY OF THIRD STREET SOUTH $36^{\circ}30'47''$ WEST, 429.04 FEET TO A SET IRON PIN WITH VAN ATTA CAP;

THENCE ALONG WEST TERMINUS OF THIRD STREET RIGHT OF WAY NORTH $53^{\circ}29'13''$ WEST, 60.00 FEET TO A SET IRON PIN WITH VAN ATTA CAP;

THENCE ALONG THE NORTH RIGHT OF WAY OF THIRD STREET NORTH $36^{\circ}30'47''$ EAST, 428.98 FEET TO A SET IRON PIN WITH VAN ATTA CAP AT THE INTERSECTION OF SAID SOUTH STREET AND THIRD STREET;

THENCE WITH THE PROJECTION OF THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET, THROUGH THIRD STREET SOUTH $53^{\circ}32'59''$ EAST, 60.00 FEET TO THE SOUTH RIGHT OF WAY OF THIRD STREET AND THE TRUE POINT OF BEGINNING

CONTAINING 0.5909 ACRES, MORE OR LESS, SUBJECT HOWEVER TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

This description is based on an actual field survey in September 2022 under the direct supervision of Jeffrey A. Van Atta, Registered Professional Surveyor license number 7354 for Van Atta engineering, Inc. of the state of Ohio and that all monuments found or set, correctly represents the boundaries herein described. The Basis of Bearing is derived from GNSS observation utilizing Ohio State Plane NAD 83, South Zone, 3401, US survey foot, GEOID 2012A

The Survey of which is filed in Volume _____ Plat _____ in Warren County Engineer's record of land surveys.

JEFFREY A. VAN ATTA, PS #7354
VAN ATTA ENGINEERING

DATE



VANATTAENGINEERINGINC

570 Congress Park Dr • Dayton, OH 45459 • P 937.438.5650 F 937.438.5645

November 1, 2022

**PARTIAL THIRD STREET VACATION
PARCEL 1 - 0.1762 ACRES**

LOCATED IN SECTION 6, TOWN 4, RANGE 4 M.Rs., VILLAGE OF WAYNESVILLE, WAYNE TOWNSHIP, COUNTY OF WARREN, STATE OF OHIO AND BEING A PART OF THIRD STREET DEDICATED ON THE TRANSCRIBED RECORD 1 PAGES 314-315, TOWN OF WAYNESVILLE, A PUBLIC RIGHT-OF-WAY, TO BE VACATED AND BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A SET IRON PIN WITH VAN ATTA CAP AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY AND THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY, SAID IRON PIN ALSO LYING ON AN EAST LINE OF THAT 1.217 ACRE TRACT AS CONVEYED TO ORA JONES AND VIOLET M. JONES, TRUSTEES OF THE ORA JONES AND VIOLET M. JONES LIVING TRUST BY THE DEED RECORDED IN O.R.V. 1287, PAGE 268 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE WITH THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET SOUTH $36^{\circ}30'47''$ WEST, 255.55 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE WEST LINE OF SAID 1.217 ACRE TRACT AND ON THE EAST LINE OF THAT 1.5149 ACRE TRACT AS CONVEYED TO HARRY MICHAEL BROMER, BY THE DEED RECORDED IN O.R.V. 3492, PAGE 483 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE LEAVING THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET AND THROUGH THIRD STREET NORTH $54^{\circ}36'00''$ WEST, 30.00 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE CENTERLINE OF THIRD STREET;

THENCE WITH THE CENTERLINE OF THIRD STREET NORTH $36^{\circ}30'47''$ EAST, 256.10

FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE PROJECTION OF THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET;

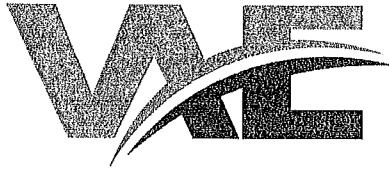
THENCE WITH THE PROJECTION OF THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET AND THROUGH THIRD STREET SOUTH $53^{\circ}32'59''$ EAST, 30.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.1762 ACRES, MORE OR LESS, SUBJECT HOWEVER TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

This description is based on an actual field survey in September 2022 under the direct supervision of Jeffrey A. Van Atta, Registered Professional Surveyor license number 7354 for Van Atta engineering, Inc. of the state of Ohio and that all monuments found or set, correctly represents the boundaries herein described. The Basis of Bearing is derived from GNSS observation utilizing Ohio State Plane NAD 83, South Zone, 3401, US survey foot, GEOID 2012A.

The Survey of which is filed in Volume ____ Plat _____ in Warren County Engineer's record of land surveys.

JEFFREY A. VAN ATTA, PS #7354
VAN ATTA ENGINEERING

DATE



VANATTAENGINEERINGINC

570 Congress Park Dr • Dayton, OH 45459 • P 937.438.5650 F 937.438.5645

November 1, 2022

**PARTIAL THIRD STREET VACATION
PARCEL 2 - 0.0634 ACRES**

LOCATED IN SECTION 6, TOWN 4, RANGE 4 M.Rs., VILLAGE OF WAYNESVILLE, WAYNE TOWNSHIP, COUNTY OF WARREN, STATE OF OHIO AND BEING A PART OF THIRD STREET, DEDICATED ON THE TOWN OF WAYNESVILLE, TRANSCRIBED RECORD 1 PAGES 314-315, A PUBLIC RIGHT-OF-WAY, TO BE VACATED AND BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A SET IRON PIN WITH VAN ATTA CAP AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY AND THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY, SAID POINT ALSO LYING ON AN EAST LINE OF THAT 1.217 ACRE TRACT AS CONVEYED TO ORA JONES AND VIOLET M. JONES, TRUSTEES OF THE ORA JONES AND VIOLET M. JONES LIVING TRUST BY THE DEED RECORDED IN O.R.V. 1287, PAGE 268 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE WITH THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET SOUTH 36°30'47" WEST, 255.55 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE WEST LINE OF SAID 1.217 ACRE TRACT AND A POINT ON THE EAST LINE OF THAT 1.5149 ACRE TRACT AS CONVEYED TO HARRY MICHAEL BROMER, BY THE DEED RECORDED IN O.R.V. 3492, PAGE 483 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE CONTINUING WITH THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET SOUTH 36°30'47" WEST, 83.71 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE NORTHEASTERLY LINE OF A 1.125 ACRE TRACT CONVEYED TO FIELDS FAMILY ENTERPRISES, INC., AN OHIO CORPORATION BY O.R.V. 713, PAGE 157 OF THE OFFICAL RECORDS OF SAID COUNTY AND THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE CONTINUING WITH THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET SOUTH 36°30'47" WEST, 89.78 FEET TO SET IRON PIN WITH VAN ATTA CAP AND THE TERMINUS OF THIRD STREET;

THENCE ALONG THE WEST TERMINUS OF THIRD STREET NORTH 53°29'13" WEST, 30.00 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE CENTERLINE OF THIRD STREET;

THENCE WITH THE CENTERLINE OF THIRD STREET NORTH 36°30'47" EAST, 94.31 FEET TO A SET IRON PIN WITH VAN ATTA CAP;

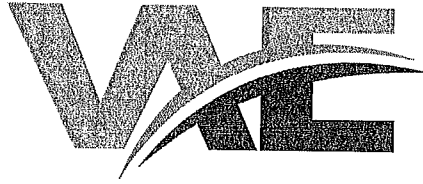
THENCE LEAVING THE CENTERLINE OF THIRD STREET AND THROUGH SAID THIRD STREET SOUTH 44°54'08" EAST, 30.34 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.0634 ACRES, MORE OR LESS, SUBJECT HOWEVER TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

This description is based on an actual field survey in September 2022 under the direct supervision of Jeffrey A. Van Atta, Registered Professional Surveyor license number 7354 for Van Atta engineering, Inc. of the state of Ohio and that all monuments found or set, correctly represents the boundaries herein described. The Basis of Bearing is derived from GNSS observation utilizing Ohio State Plane NAD 83, South Zone, 3401, US survey foot, GEOID 2012A

The Survey of which is filed in Volume _____ Plat _____ in Warren County Engineer's record of land surveys.

JEFFREY A. VAN ATTA, PS #7354
VAN ATTA ENGINEERING

DATE



VANATTAENGINEERINGINC

570 Congress Park Dr • Dayton, OH 45459 • P 937.438.5650 F 937.438.5645

November 2, 2022

**PARTIAL THIRD STREET VACATION
PARCEL 3 - 0.0665 ACRES**

LOCATED IN SECTION 6, TOWN 4, RANGE 4 M.Rs., VILLAGE OF WAYNESVILLE, WAYNE TOWNSHIP, COUNTY OF WARREN, STATE OF OHIO AND BEING A PART OF THIRD STREET, DEDICATED ON THE TOWN OF WAYNESVILLE, TRANSCRIBED RECORD 1 PAGES 314-315, A PUBLIC RIGHT-OF-WAY, TO BE VACATED AND BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A SET IRON PIN WITH VAN ATTA CAP AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY AND THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY, SAID POINT ALSO LYING ON AN EAST LINE OF THAT 1.217 ACRE TRACT AS CONVEYED TO ORA JONES AND VIOLET M. JONES, TRUSTEES OF THE ORA JONES AND VIOLET M. JONES LIVING TRUST BY THE DEED RECORDED IN O.R.V. 1287, PAGE 268 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE WITH THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET SOUTH $36^{\circ}30'47''$ WEST, 255.55 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE EAST LINE OF THAT 1.5149 ACRE TRACT AS CONVEYED TO HARRY MICHAEL BROMER, O.R.V. 3492 PAGE 483 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE CONTINUING WITH THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET SOUTH $36^{\circ}30'47''$ WEST, 173.49 FEET TO A SET IRON PIN WITH VAN ATTA CAP AND THE TERMINUS OF THIRD STREET;

THENCE ALONG THE WEST TERMINUS OF THIRD STREET NORTH $53^{\circ}29'13''$ WEST, 30.00 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE CENTERLINE OF THIRD STREET AND THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE CONTINUING WITH THE TERMINUS OF THIRD STREET NORTH 53°29'13" WEST, 30.00 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE NORTH RIGHT-OF-WAY LINE OF THIRD STREET;

THENCE WITH THE NORTH RIGHT-OF-WAY LINE OF THIRD STREET NORTH 36°30'47" EAST, 98.84 FEET TO A SET IRON PIN WITH VAN ATTA CAP

THENCE LEAVING SAID NORTH RIGHT OF WAY SOUTH 44°54'08" EAST, 11.33 FEET TO A FOUND IRON PIPE AT THE CORNER OF A 1.5149 ACRE TRACT AS CONVEYED TO HARRY MICHAEL BROMER BY THE DEED RECORDED IN O.R.V. 3492, PAGE 483 AND THE CORNER OF A 1.125 ACRE TRACT AS CONVEYED TO FIELDS FAMILY ENTERPRISES, INC., AN OHIO CORPORATION BY O.R.V. 713, PAGE 157 ALL UNDER THE OFFICIAL RECORDS OF SAID COUNTY;

THE ALONG THE COMMON LINE BETWEEN SAID TRACTS CONVEYED TO FIELDS FAMILY ENTERPRISES AND MICHAEL BROMER SOUTH 44°54'08" EAST, 19.01 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE CENTERLINE OF SAID THIRD STREET;

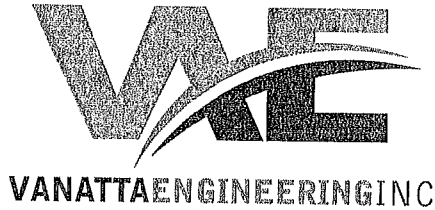
THENCE WITH THE CENTERLINE OF THIRD STREET SOUTH 36°30'47" WEST, 94.31 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.0665 ACRES, MORE OR LESS, SUBJECT HOWEVER TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

This description is based on an actual field survey in September 2022 under the direct supervision of Jeffrey A. Van Atta, Registered Professional Surveyor license number 7354 for Van Atta engineering, Inc. of the state of Ohio and that all monuments found or set, correctly represents the boundaries herein described. The Basis of Bearing is derived from GNSS observation utilizing Ohio State Plane NAD 83, South Zone, 3401, US survey foot, GEOID 2012A

The Survey of which is filed in Volume _____ Plat _____ in Warren County Engineer's record of land surveys.

JEFFREY A. VAN ATTA, PS #7354
VAN ATTA ENGINEERING

DATE



570 Congress Park Dr • Dayton, OH 45459 • P 937.438.5650 F 937.438.5645

November 2, 2022

**PARTIAL THIRD STREET VACATION
PARCEL 4 - 0.1281 ACRES**

LOCATED IN SECTION 6, TOWN 4, RANGE 4 M.Rs., VILLAGE OF WAYNESVILLE, WAYNE TOWNSHIP, COUNTY OF WARREN, STATE OF OHIO AND BEING A PART OF THIRD STREET, DEDICATED ON THE TOWN OF WAYNESVILLE, TRANSCRIBED RECORD 1 PAGES 314-315, A PUBLIC RIGHT-OF-WAY, TO BE VACATED AND BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A SET IRON PIN WITH VAN ATTA CAP AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY AND THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY;

THENCE WITH THE PROJECTION OF THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET, THROUGH THIRD STREET NORTH $53^{\circ}32'59''$ WEST, 30.00 FEET TO A FOUND IRON PIN AT THE INTERSECTION OF THE CENTERLINE OF THIRD STREET AND THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET;

THENCE WITH THE CENTERLINE OF THIRD STREET SOUTH $36^{\circ}30'47''$ WEST, 66.00 FEET TO A SET IRON PIN WITH VAN ATTA CAP AND THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE CONTINUING WITH THE CENTERLINE OF THIRD STREET SOUTH $36^{\circ}30'47''$ WEST, 190.10 FEET TO A SET IRON PIN WITH VAN ATTA CAP;

THENCE LEAVING THE CENTERLINE OF THIRD STREET AND THROUGH THIRD STREET NORTH $38^{\circ}35'09''$ WEST, 31.04 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE NORTH RIGHT-OF-WAY LINE OF THIRD STREET AND A POINT ON THE WEST LINE OF THAT 0.658 ACRE TRACT AS CONVEYED TO TINCHER PROPERTIES, LLC BY THE DEED RECORDED IN O.R.V. 4108, PAGE 894 OF THE OFFICIAL RECORDS OF SAID COUNTY AND A POINT ON THE EAST LINE OF THAT 1.5149 ACRE TRACT AS CONVEYED TO HARRY MICHAEL BROMER BY THE DEED

RECORDED IN O.R.V. 3492, PAGE 483 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE WITH THE NORTH RIGHT-OF-WAY LINE OF THIRD STREET NORTH 36°30'47" EAST, 181.99 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE EAST LINE OF SAID 0.658 ACRE TRACT AND A POINT ON THE WEST LINE OF THAT 0.25 ACRE TRACT AS CONVEYED TO TERI A. PORTERFIELD BY THE DEED RECORDED IN O.R.V. 1173, PAGE 227 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE LEAVING THE NORTH RIGHT-OF-WAY LINE OF THIRD STREET AND THROUGH THIRD STREET SOUTH 53°44'06" EAST, 30.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.1281 ACRES, MORE OR LESS, SUBJECT HOWEVER TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

This description is based on an actual field survey in September 2022 under the direct supervision of Jeffrey A. Van Atta, Registered Professional Surveyor license number 7354 for Van Atta engineering, Inc. of the state of Ohio and that all monuments found or set, correctly represents the boundaries herein described. The Basis of Bearing is derived from GNSS observation utilizing Ohio State Plane NAD 83, South Zone, 3401, US survey foot, GEOID 2012A

The Survey of which is filed in Volume _____ Plat _____ in Warren County Engineer's record of land surveys.

JEFFREY A. VAN ATTA, PS #7354
VAN ATTA ENGINEERING

DATE



VANATTAENGINEERINGINC

570 Congress Park Dr • Dayton, OH 45459 • P 937.438.5650 F 937.438.5645

November 2, 2022

**PARTIAL THIRD STREET VACATION
PARCEL 5 - 0.0455 ACRES**

LOCATED IN SECTION 6, TOWN 4, RANGE 4 M.Rs., VILLAGE OF WAYNESVILLE, WAYNE TOWNSHIP, COUNTY OF WARREN, STATE OF OHIO AND BEING A PART OF THIRD STREET, DEDICATED ON THE TOWN OF WAYNESVILLE, TRANSCRIBED RECORD 1 PAGES 314-315, A PUBLIC RIGHT-OF-WAY, TO BE VACATED AND BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A SET IRON PIN WITH VAN ATTA CAP AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY AND THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY;

THENCE WITH THE PROJECTION OF THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET, THROUGH THIRD STREET NORTH $53^{\circ}32'59''$ WEST, 30.00 FEET TO FOUND IRON PIN AT THE INTERSECTION OF THE CENTERLINE OF THIRD STREET AND THE WEST RIGHT OF WAY OF SOUTH STREET AND THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE WITH THE CENTERLINE OF THIRD STREET SOUTH $36^{\circ}30'47''$ WEST, 66.00 FEET TO A SET IRON PIN WITH VAN ATTA CAP;

THENCE LEAVING THE CENTERLINE OF THIRD STREET AND THROUGH THIRD STREET NORTH $53^{\circ}44'06''$ WEST, 30.00 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE NORTH RIGHT-OF-WAY LINE OF THIRD STREET AND A POINT ON THE WEST LINE OF AT 0.25 ACRE TRACT AS CONVEYED TO TERI A. PORTERFIELD BY THE DEED RECORDED IN O.R.V. 1173, PAGE 227 OF THE OFFICIAL RECORDS OF SAID COUNTY AND AN EAST LINE OF THAT 0.658 ACRE TRACT AS CONVEYED TO TINCHER PROPERTIES, LLC BY THE DEED RECORDED IN O.R.V. 4108, PAGE 894 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE WITH THE NORTH RIGHT-OF-WAY LINE OF THIRD STREET NORTH 36°30'47" EAST, 66.10 FEET TO A SET IRON PIN WITH VAN ATTA CAP AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF THIRD STREET AND THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET;

THENCE WITH THE PROJECTION OF THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET AND THROUGH THIRD STREET SOUTH 53°32'59" EAST, 30.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.0455 ACRES, MORE OR LESS, SUBJECT HOWEVER TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

This description is based on an actual field survey in September 2022 under the direct supervision of Jeffery A. Van Atta, Registered Professional Surveyor license number 7354 for Van Atta engineering, Inc. of the state of Ohio and that all monuments found or set, correctly represents the boundaries herein described. The Basis of Bearing is derived from GNSS observation utilizing Ohio State Plane NAD 83, South Zone, 3401, US survey foot, GEOID 2012A

The Survey of which is filed in Volume _____ Plat _____ in Warren County Engineer's record of land surveys.

JEFFREY A. VAN ATTA, PS #7354
VAN ATTA ENGINEERING

DATE



VANATTAENGINEERINGINC

570 Congress Park Dr • Dayton, OH 45459 • P 937.438.5650 F 937.438.5645

November 2, 2022

**PARTIAL THIRD STREET VACATION
PARCEL 6 - 0.1121 ACRES**

LOCATED IN SECTION 6, TOWN 4, RANGE 4 M.Rs., VILLAGE OF WAYNESVILLE, WAYNE TOWNSHIP, COUNTY OF WARREN, STATE OF OHIO AND BEING A PART OF THIRD STREET, DEDICATED ON THE TOWN OF WAYNESVILLE, TRANSCRIBED RECORD 1 PAGES 314-315, A PUBLIC RIGHT-OF-WAY, TO BE VACATED AND BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A SET IRON PIN WITH VAN ATTA CAP AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY AND THE WEST RIGHT-OF-WAY LINE OF SOUTH STREET, CURRENTLY A 60 FOOT PUBLIC RIGHT-OF-WAY, SAID POINT ALSO LYING ON AN EAST LINE OF THAT 1.217 ACRE TRACT AS CONVEYED TO ORA JONES AND VIOLET M. JONES, TRUSTEES OF THE ORA JONES AND VIOLET M. JONES LIVING TRUST BY THE DEED RECORDED IN O.R.V. 1287, PAGE 268 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE WITH THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET SOUTH $36^{\circ}30'47''$ WEST, 255.55 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE WEST LINE OF SAID 1.217 ACRE TRACT AND A POINT ON THE EAST LINE OF THAT 1.5149 ACRE TRACT AS CONVEYED TO HARRY MICHAEL BROMER, BY THE DEED RECORDED IN O.R.V. 3492, PAGE 483 OF THE OFFICIAL RECORDS OF SAID COUNTY AND THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE CONTINUING WITH THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET SOUTH $36^{\circ}30'47''$ WEST, 83.71 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE NORTHEASTERLY LINE OF A 1.125 ACRE TRACT CONVEYED TO FIELDS FAMILY ENTERPRISES, INC., AN OHIO CORPORATION BY O.R.V. 713, PAGE 157 AND THE WEST LINE OF A TRACT AS CONVEYED TO HARRY MICHAEL BROMER, BY THE DEED RECORDED IN O.R.V. 3492, PAGE 483 OF THE OFFICAL RECORDS OF SAID COUNTY;

THENCE ALONG SAID COMMON LINE OF SAID FIELDS FAMILY ENTERPRISES AND MICHAEL BROMER TRACTS NORTH 44°54'08" WEST, 30.34 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE CENTERLINE OF THIRD STREET;

THENCE CONTINUING ALONG SAID COMMON LINE NORTH 44°54'08" WEST, 19.01 FEET TO A FOUND IRON PIPE;

THENCE LEAVING SAID COMMON LINE AND CONTINUING ALONG THE SAME BEARING NORTH 44°54'08" WEST, 11.33 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE NORTH RIGHT OF WAY OF SAID THIRD STREET;

THENCE ALONG SAID NORTH RIGHT OF WAY NORTH 36°30'47" EAST, 82.05 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON THE EASTERLY LINE OF SAID MICHAEL BROMER TRACT AND THE WEST LINE OF A TRACT CONVEYED TO TINCHER PROPERTIES, L.L.C. BY O.R.V. 4108, PAGE 894 A 0.658 ACRE TRACT;

THENCE ALONG SAID COMMON LINE SOUTH 38°35'09" EAST, 31.04 FEET TO A SET IRON PIN WITH VAN ATTA CAP ON SAID THIRD STREET CENTERLINE;

THENCE ALONG THE COMMON LINE BETWEEN SAID ORA JONES AND MICHAEL BROMER SOUTH 54°36'00" EAST, 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.1112 ACRES, MORE OR LESS, SUBJECT HOWEVER TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

This description is based on an actual field survey in September 2022 under the direct supervision of Jeffrey A. Van Atta, Registered Professional Surveyor license number 7354 for Van Atta engineering, Inc. of the state of Ohio and that all monuments found or set, correctly represents the boundaries herein described. The Basis of Bearing is derived from GNSS observation utilizing Ohio State Plane NAD 83, South Zone, 3401, US survey foot, GEOID 2012A

The Survey of which is filed in Volume _____ Plat _____ in Warren County Engineer's record of land surveys.

JEFFREY A. VAN ATTA, PS #7354
VAN ATTA ENGINEERING

DATE

ORDINANCE NO. 2023-022

AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH BUCKEYE POWER SALES FOR THE MAINTENANCE OF GENERATORS AT THE COVEY STATION AND GOVERNMENT BUILDING

WHEREAS, the Village has determined that it is in the best interest of Village operations to obtain professional services related to generator maintenance; and

WHEREAS, Buckeye Power Sales has provided a proposal for said services; and

WHEREAS, the Village desires to enter into an agreement with said vendor for such services.

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

Section 1. That the Village Manager is hereby authorized to enter into a contract with Buckeye Power Sales for professional maintenance services related to generator maintenance pursuant to the terms of the proposal attached hereto and incorporated herein by reference.

Section 2. That the Finance Director is hereby authorized to pay Buckeye Power Sales in accordance with the terms and specifications attached hereto and incorporated herein by reference.

Section 3. That this Ordinance shall be effective from and after the earliest period allowed by law.

Adopted this _____ day of _____, 2023.

Attest: _____
Clerk of Council

Mayor



Planned Maintenance Agreement Quote

Page 1

Bill-to Customer No. C00463700
Village Of Waynesville
1400 Lytle Road
Waynesville, OH 45068
USA

Buckeye Power Sales Co., Inc.
4992 Rialto Road
West Chester, OH 45069
USA
Phone No. 513.755.2323
Fax No. 513.755.4515

Contact Brian Keith
Phone No. 937-751-4270
E-Mail bkeith@waynesville-ohio.org
Salesperson Ben Coulter
Description Prepaid Agreement - 3YR

Quote No. PMA1039086
Accept Before 05/11/23
Starting Date 06/01/23
Invoice Period Year
Annual Amount 1,280.00

~ 3 Year Prepaid Planned Maintenance Agreement ~
Agreement Locks Rates for 3 Years (Invoiced Annually)
Agreement Includes Annual Major Service
Agreement Includes Annual Minor Service
~ Service Cycle ~
June-Major Service
December -Minor Service

We propose to furnish the materials and labor in accordance with the Buckeye Power Sales Co., Inc. Planned Maintenance Agreement Terms & Conditions

Ship-to Address

Municipal Bldg
1400 Lytel Rd.
Waynesville, OH 45068

EQ0202311 Cummins GGFE-5599115 C CUGGFE-5599115 C B030467426 640.00

Ship-to Address

Water Tower
1349 Lytle Rd
Waynesville, OH 45068

USA
EQ0202312 Onan 100kw GGHH-5618566 ON100GGHH D030493357 640.00

Total 1,280.00

Customer Signature Line

PO # _____

Sign _____

Print _____

Date _____

Please do not pay the total indicated on this Quotation as it does not include the applicable sales tax. A separate invoice will be sent for payment once the signed agreement has been returned to BPS.

BUCKEYE POWER SALES CO., INC.

PLANNED MAINTENANCE AGREEMENT TERMS & CONDITIONS

ARTICLE ONE: TERM OF CONTRACT

- 1.01 This Agreement shall commence on the date first written and shall continue for a period of one year (unless otherwise specified).
- 1.02 For services rendered under this proposal, Customer agrees to pay Servicing Agent in advance of performance of services.
- 1.03 Rates for extended years shall be determined at the beginning of each billing cycle.
- 1.04 Replacement parts will be billed at prices prevailing at time of use.
- 1.05 Emergency service between scheduled services and/or load test services will be provided at rates in effect at the time of service for labor, parts and travel.

ARTICLE TWO: REMEDIES FOR BREACH

- 2.01 In the event Servicing Agent and/or its employees/agents negligently fail to perform the Planned Maintenance Services outlined herein, the failure of which directly causes property damage, the sole remedy available to Customer shall be the replacement or repair of property with property of equal quality and value. This applies only to the Generator(s) and/or Automatic Transfer Switch(es).
- 2.02 Servicing Agent is not responsible for any consequential damages, lost profits or any damages or losses.
- 2.03 Servicing Agent shall not be responsible for failure to render the service due to causes beyond its control including labor strikes, labor disputes, acts of God, etc., or consequential damages.

ARTICLE THREE: TERMINATION OF AGREEMENT

- 3.01 Either party may terminate this Agreement by giving sixty (60) days written notice to the other party
- 3.02 This Agreement shall terminate automatically on the occurrence of any of the following events:
 - Bankruptcy or insolvency of either party
 - Assignment of this Agreement by either party without consent of the other party
 - Sale of the business of either party
 - Acts of God
 - Death or dissolution of either party
 - Impracticability and/or impossibility of performance
- 3.03 This Agreement supersedes any and all agreements, both oral and written, between the parties with respect to the rendering of services by Servicing Agent for Customer, and contains all of the covenants and agreements between the parties with respect to the rendering of these services in any manner whatsoever. Each party acknowledges that no representations, inducements, promises, or agreements, written or oral, have been made by either party or by anyone acting on behalf of either party, that are not embodied in this Agreement. Any modification of this Agreement will be effective only if it is in writing signed by the Servicing Agent.
- 3.04 Customer agrees to defend, indemnify and hold Servicing Agent, its directors, officers and employees ("Indemnitees") harmless from and against any and all claims, losses, costs, expenses, attorney's fees and liabilities ("Claims") arising out of or related to the goods and services relating to this agreement.
- 3.05 If any action at law or in equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing party will be entitled to reasonable attorney's fees in addition to any other relief to which that party may be entitled. The attorney's fees may be set by the court in the same action or in a separate action brought for that purpose.
- 3.06 This Agreement will be governed by and construed in accordance with the laws of the State of Ohio.

ARTICLE FOUR: SERVICES TO BE PERFORMED BY SERVICING AGENT

- 4.01 Servicing Agent agrees to provide labor, test equipment and/or replacement parts so as to perform Planned Maintenance, on equipment owned and/or operated by Customer. In performing its Planned Maintenance Program, Servicing Agent shall make scheduled visits consisting of the services outlined in the proposal as defined in this article
- 4.02 **Periodic Service**
 - Services provided in each Servicing Agent's maintenance trip will include the following:
 - Inspect air cleaner
 - Test antifreeze and adjust
 - Check coolant level
 - Inspect belts and hoses as required
 - Check engine heater operation
 - Check generator set for fuel, oil, coolant leaks
 - Check air intakes and outlets
 - Check transfer tank operation
 - Drain exhaust line
 - Inspect silencer
 - Check battery charger operation and charge rate
 - Check battery electrolyte levels and specific gravity
 - Clean battery terminals as necessary
 - Check generator output voltage and adjust as necessary
 - Emergency system operation without load transfer
 - Frequency check/governor adjustment, as required
 - Check transfer switch and accessory operation (subject to owners approval and availability during service visit)
 - Check engine alternator charge rates
 - Check engine and generator gauge and indicator operation
 - Check generator set controller operation including shutdown functions
 - Perform engine checks per manufacturer's recommendations

BUCKEYE POWER SALES CO., INC.

PLANNED MAINTENANCE AGREEMENT TERMS & CONDITIONS (continued)

4.03 **Annual Maintenance**

- Services provided in Servicing Agent's annual maintenance trip will include items listed in Section 4.02 and the following:

- Lube, oil and filter(s) change

- Fuel filter(s) change

- Engine tune-up with parts for gas or gasoline engines (per the manufacturer's service intervals) Additional pricing will apply if performed, by request of customer, outside of the manufacturer's recommended service intervals.

*Air filter and Battery replacement will be quoted at recommended intervals and invoiced at an additional charge. This charge is over and above the price of the Planned Maintenance Agreement unless otherwise specified and/or included in the Planned Maintenance Agreement.

4.04 This Planned Maintenance Agreement is not a guarantee of equipment availability.

4.05 **Load Bank Service (only if specified as "Additional Services")**

- Customer and Servicing Agent agree that a load bank test service will be provided annually for a period of time as stated in the proposal. Servicing Agent's load bank test will be performed utilizing portable resistive load banks at unity power factor. Test to be performed in accordance with usual and customary practice as defined by applicable code.

4.06 Servicing Agent agrees to perform Planned Maintenance to Customer's equipment in accordance with the Methods and Time Table set forth. No services or materials are under this Agreement unless specifically referred to herein.

4.07 **THIS AGREEMENT DOES NOT RELIEVE THE CUSTOMER OF PERIODICAL CHECKS AND TESTING AS OUTLINED IN THE MANUFACTURER'S SERVICE MANUAL.**

Columbus, Ohio
 8155 Howe Industrial Pkwy.
 Canal Winchester, OH 43110
 614-751-4515
 866-889-2628

Cincinnati, Ohio
 4992 Rialto Rd.
 West Chester, OH 45069
 513-755-2323
 800-368-7422

Cleveland, Ohio
 8465 Tower Dr.
 Twinsburg, OH 44087
 330-425-9165
 800-966-2825

Dayton, Ohio
 5238 Cobblegate Dr.
 Moraine, OH 45439
 937-630-4005
 855-638-2720

Toledo, Ohio
 12400 Williams Rd
 Perrysburg, OH 43551
 567-331-0385
 855-638-2728

Indianapolis, Indiana
 1707 S. Franklin Rd.
 Indianapolis, IN 46239
 317-271-9661
 800-632-0339

Ft. Wayne, Indiana
 7525 Maplecrest Rd. #221
 Ft. Wayne, IN 46835
 260-739-1773
 855-638-2721

Invoicing Submission Options

Dear Customer,

If you decided to execute the attached agreement, please indicate below your preferred method for receiving your invoices, i.e. email or paper mail. Also, if you are not the person responsible for paying the invoice please list the contact information for the responsible person.

- Please check this box if you prefer to receive invoices via email.

If you prefer email invoices, please provide email of person responsible for paying invoices below.

- Please check this box if you prefer to receive invoices via mail.

If you would prefer your invoice by mail, please provide the address and whom the invoice should be attention to below.

Attn: _____

Address: _____

- Please check this box if a web portal is required for uploading reports and invoices. Please note, any fees associated with the use of a portal may be passed on to customer to cover any additional costs incurred. Please include instructions to get set up and access the portal.

Columbus, Ohio
 8155 Howe Industrial Pkwy.
 Canal Winchester, OH 43110
 614-751-4515
 866-889-2628

Cincinnati, Ohio
 4992 Rialto Rd.
 West Chester, OH 45069
 513-755-2323
 800-368-7422

Cleveland, Ohio
 8465 Tower Dr.
 Twinsburg, OH 44087
 330-425-9165
 800-966-2825

Dayton, Ohio
 5238 Cobblegate Dr.
 Moraine, OH 45439
 937-630-4005
 855-638-2720

Toledo, Ohio
 12400 Williams Rd
 Perrysburg, OH 43551
 567-331-0385
 855-638-2728

Indianapolis, Indiana
 1707 S. Franklin Rd.
 Indianapolis, IN 46239
 317-271-9661
 800-632-0339

Ft. Wayne, Indiana
 7525 Maplecrest Rd. #221
 Ft. Wayne, IN 46835
 260-739-1773
 855-638-2721

Services Performed at Scheduled Maintenance Visits

Minor Maintenance

- | | |
|---|---|
| <ul style="list-style-type: none"> Inspect Air Cleaner Check Coolant Level Check Engine Heater Operation Check air intakes and outlets Drain exhaust line Check battery charger operation and charge rate Clean battery terminals as necessary Emergency system operation without load transfer Check transfer switch and accessory operation Check engine & generator gauge & indicator operation Check generator set controller operation including shutdown functions Emergency system operation with load transfer (subject to owners approval) | <ul style="list-style-type: none"> Test Antifreeze and Adjust Inspect Belts and Hoses as Required Check generator set for fuel, oil, coolant leaks Check transfer tank operation Inspect silencer Check battery electrolyte levels and specific gravity Check generator output voltage and adjust as necessary Frequency check/governor adjustment, as required Check engine alternator charge rates |
|---|---|

Major Maintenance

- | | |
|---|---|
| <ul style="list-style-type: none"> Inspect Air Cleaner Check Coolant Level Check Engine Heater Operation Check air intakes and outlets Drain exhaust line Check battery charger operation and charge rate Clean battery terminals as necessary Emergency system operation without load transfer Check transfer switch and accessory operation Check engine & generator gauge & indicator operation Lube oil and filter(s) change Fuel filter(s) change Perform engine checks per manufacturer's recommendations Check generator set controller operation including shutdown functions Engine tune-up (to include checking points, condenser, rotor, cap, and spark plugs) - gas engines (replaced as required) Emergency system operation with load transfer (subject to owners approval) | <ul style="list-style-type: none"> Test Antifreeze and Adjust Inspect Belts and Hoses as Required Check generator set for fuel, oil, coolant leaks Check transfer tank operation Inspect silencer Check battery electrolyte levels and specific gravity Check generator output voltage and adjust as necessary Frequency check/governor adjustment, as required Check engine alternator charge rates |
|---|---|

KOHLER POWER SYSTEMS





Buckeye Power Sales

Reliable Power Professionals Since 1947

Columbus, Ohio
8155 Howe Industrial Pkwy.
Canal Winchester, OH 43110
614-751-4515
866-889-2628

Cincinnati, Ohio
4992 Rialto Rd.
West Chester, OH 45069
513-755-2323
800-368-7422

Cleveland, Ohio
8465 Tower Dr.
Twinsburg, OH 44087
330-425-9165
800-966-2825

Dayton, Ohio
5238 Cobblegate Dr.
Moraine, OH 45439
937-630-4005
855-638-2720

Toledo, Ohio
12400 Williams Rd
Perrysburg, OH 43551
567-331-0385
855-638-2728

Indianapolis, Indiana
1707 S. Franklin Rd.
Indianapolis, IN 46239
317-271-9661
800-632-0339

Ft. Wayne, Indiana
7525 Maplecrest Rd. #221
Ft. Wayne, IN 46835
260-739-1773
855-638-2721

Contact Sheet

Branch/Location: West Chester

Afterhours Emergency Phone #: 800-564-8519

Service Coordinator Contact Name: Sara Lamb

Service Coordinator Contact Phone #: 513-755-2323

Service Coordinator Email: slamb@buckeyepowersales.com

Service Manager Contact Name: Tim Hutcheson

Service Manager Ofc #: 513-785-5550

Service Manager Cell #: 513-383-1441

Service Manager Email: thutcheson@buckeyepowersales.com

Rental Contact Name: Ryan Giesting

Rental Ofc #: 513-755-2323

Rental Cell #: 513-274-7252

Rental Contact Email: rgiesting@buckeyepowersales.com

Billing Contact Name: Ashley Detherage

Billing Contact Phone #: 513-785-5543

Billing Contact Email: adetherage@bpsco.com

Planned Maintenance Agreements (PMA): Ben Coulter

PMA Phone #: 513-383-1764

PMA Email: bcoulter@bpsco.com

Labor & Travel Rates – Ohio & Indiana

Normal Business Hours Monday-Friday 8 AM-5 PM

Non-Planned Maintenance Customers
\$160 per hour-travel/labor-port to port
\$3.00 per mile-port to port

Planned Maintenance Agreement Customers
\$140 per hour-travel/labor-port to port
\$3.00 per mile-port to port

Emergency Service Calls Monday-Friday 8 AM-5 PM; Saturdays

****These rates can apply during normal business hours if a service call is escalated to emergency service, during normal business hours 4 hour minimum may apply**

Non-Planned Maintenance Customers
\$240 per hour-travel/labor-port to port
\$3.00 per mile-port to port

Planned Maintenance Agreement Customers
\$210 per hour-travel/labor-port to port
\$3.00 per mile port to port

After Hours Service Calls, Sundays and Holidays

Non-Planned Maintenance Customers
\$320 per hour-travel/labor-port to port
\$3.00 per mile-port to port

Planned Maintenance Agreement Customers
\$280 per hour-travel/labor-port to port
\$3.00 per mile-port to port

Planned Maintenance Customers receive a 10% discount on Generator Rentals and Discounted Labor Rates listed above

All rates subject to change at any time

ORDINANCE NO. 2023-023

AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH STRAWSER CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED \$100,000 FOR THE 2023 MICRO SURFACING PROJECT

WHEREAS, the Village of Waynesville has requested proposals for work related to street micro surfacing; and

WHEREAS, Strawser Construction, Inc. submitted the lowest and best proposal for said work with a unit price bid of \$3.64 per square yard.

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

Section 1. The Village of Waynesville accepts the specifications and agrees that Strawser Construction, Inc. is the lowest and bid bidder.

Section 2. That the Village Manager is hereby authorized to enter into a contract with Strawser Construction, Inc. for work related to the micro surfacing of certain Village streets pursuant to the terms of the proposal attached hereto as Exhibit A, incorporated herein by reference.

Section 3. That the Finance Director is hereby authorized to pay a sum not to exceed \$100,000 for said work in accordance with the proposal and specifications attached hereto and incorporated herein by reference.

Section 4. That this Ordinance shall be effective from and after the earliest period allowed by law.

Adopted this _____ day of _____, 2023.

Attest: _____
Clerk of Council

Mayor



A COLAS COMPANY

1392 DUBLIN ROAD – COLUMBUS, OH 43215 – PHONE (614) 276-5501 – FAX (614) 276-0570
www.strawserconstruction.com

PROPOSAL

5/8/2023

Gary Copeland
Village of Waynesville
1400 Lytle Rd
Waynesville, OH 45068
513-897-8010
gcopeland@waynesville-ohio.org

2023 Micro Surfacing

Dear Gary Copeland,

Strawser Construction Inc. is pleased to present the following proposal for your review.
All measurements were obtained digitally. Invoice will be billed per field measurement of work in place.
We will furnish all labor, equipment and materials to complete the following scope of work:

Micro Surfacing

Clean pavement to be free of debris and vegetation.
Install Micro Surfacing @ 20lb/sy. This item is contracted via ODOT 101G

Type of Work 1	Quantity	Unit of Measure	Unit Price	Extension
Micro Surfacing	25,232.00	SY	\$3.64	\$91,844.48

Type of Work 2	Quantity	Unit of Measure	Unit Price	Extension
				\$0.00

Total	\$91,844.48
--------------	--------------------



A COLAS COMPANY

1392 DUBLIN ROAD – COLUMBUS, OH 43215 – PHONE (614) 276-5501 – FAX (614) 276-0570
www.strawserconstruction.com

PROPOSAL **(continued)**

Conditions:

- * Pricing valid for 30 days after the date listed on page 1. If signed proposal has not been accepted and returned within 30 days, Strawser Construction Inc. has the right to adjust pricing due to the current volatile asphalt index.
- * Proposed quantities are based on site conditions on: 5/4/2023
- * This proposal includes only the scope of work listed on page 1. Any alteration or deviation from this scope of work may result in additional costs and must be contracted for in writing and signed by an authorized representative of Strawser Construction Inc.
- * Prices are based on 1 mobilization. Work to be completed in 2023.
- * Unit Price items will be billed per installed quantities.
- * Prices include sales tax if project is not tax exempt.

Notes:

- * Existing pavement is expected to support the weight of normal construction loads.
- * Strawser Construction Inc. is not responsible for damage to finished surface by others including humans, animals or vehicles tracking fresh material.
- * Upon the awarding of the proposal, please supply Strawser Construction Inc. with an Ohio Department of Taxation Construction Contract Exemption Certificate, if applicable.
- * Pavement to be clean of all debris before our arrival.

Please call with any questions.

Thank you,

Kyle Stricker
Strawser Construction Inc.
513-520-0909
kstricker@terryasphalt.com

We Propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of:

\$91,844.48

Payment terms: Net 30 Days

This offer is subject to credit approval from our credit department and will not be binding until mutual agreement on payment terms and conditions.

This account is subjected to a finance charge computed at an annual percentage rate of 18 % on the total past due balance.

Strawser Construction Inc. Authorized Signatures:

Date: _____
Timothy W. Amling, Senior Estimator

Date: _____
Douglas C. Perry, Senior Estimator

Note: This proposal may be withdrawn by us if not accepted within 30 days.

In the event of purchaser's failure to pay the amount or amounts due, at the times agreed, purchaser hereby authorizes and empowers any attorney of any Court of Record in this State or elsewhere to appear for and enter judgment, with or without declaration against the purchaser, together with all attorney's fees, with release of errors, waiver of right to appeal, waiver of benefit of any appraisal, stay and exemption laws of this State.

This Contract and all TERMS AND CONDITIONS, rights and remedies herein contained shall bind the parties hereto.

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Funds are available and payment will be made as outlined above.

Please Print Name: _____
Title: _____

Date of Acceptance: _____

Authorized Signature: _____

1. Any taxes that are or may be levied by the United States Government or any State or political subdivision thereof, on the material quoted herein, or on the sale or purchase thereof, or on incidental transportation charges, when same are paid or required to be paid or collected by the Seller shall be added to the prices named, unless otherwise stated.
2. The Seller assumes no responsibility for work performed by others outside of the scope of this contract, and denies all liability for items not included in the contract, nor is Seller responsible for any design deficiencies unless such are provided by Seller.
3. If Buyer shall fail to comply with any provision or fail to make payments in accordance with the terms of this contract or of any other contract between Buyer and Seller, Seller may at its option defer further work or, without waiving any other rights it may have, terminate this contract. This contract and the work there under shall be subject to the approval of Seller's Credit Department.
4. There are no understandings, terms, or conditions not fully expressed herein. There is no implied warranty or condition except an implied warranty of title to, and freedom from encumbrance of, the work provided hereunder, and in respect of products bought, by description that they are of merchantable quality. Seller's liability hereunder shall be limited to the obligation to replace material proven to have been defective in quality or workmanship at the time of delivery or allow credit therefore at its option. In no event shall Seller be liable for consequential damages.
5. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from the specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workers' Compensation Insurance.
6. Any disputes under this agreement shall be decided under arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then obtaining, unless the parties mutually agree otherwise. Each party to bear its own costs.

Sales and Use Tax

Construction Contract Exemption Certificate

Identification of Contract:

Contractee's (owner's) name _____
 Exact location of job/project _____
 Name of job/project as it appears _____
 on contract documentation _____

The undersigned hereby certifies that the tangible personal property purchased under this exemption certificate was purchased for incorporation into:

<input type="checkbox"/> A building used exclusively for charitable purposes by a nonprofit organization operated exclusively for charitable purposes as define in Ohio Revised Code (R.C.) section 5739.02 (8)(12);	<input type="checkbox"/> Real Property that is owned, or will be accepted for ownership at the time of completion, by the United States government, its agencies, the state of Ohio or an Ohio political subdivision;
<input type="checkbox"/> Real property under a construction contract with the United States government, its agencies, the State of Ohio or an Ohio political subdivision;	<input type="checkbox"/> A computer data center entitled to exemption under R.C. 122.175;
<input type="checkbox"/> A horticulture structure of livestock structure for person engaged in business of horticulture or producing livestock;	<input type="checkbox"/> A building under a construction contract with an organization exempt from taxation under section 501(C)(3) of the Internal Revenue Code of 1986 when the building is to be used exclusively for the organization's exempt purposes;
<input type="checkbox"/> A house of public worship or religious education;	<input type="checkbox"/> A hospital facility entitled to exemption under R.C. section 140.08;
<input type="checkbox"/> The original construction of a sports facility under R.C. section 307.696;	<input type="checkbox"/> Building and construction materials and services sold for incorporation into real property comprising a convention center that qualifies for property tax exemption under R.C. 5709.084 (until one calendar year after the construction is completed).
<input type="checkbox"/> Real property outside this state if such materials and services, when sold to a construction contractor in the state in which the real property is located for incorporation into real property in that state, would be exempt from a tax on sales levied by that state;	

The original of this certificate must be signed by the owner/contractee and/or government official and must be retained by the prime contractor. Copies must be maintained by the owner/contractee and all subcontractors. When copies are issued to suppliers when purchasing materials, each copy must be signed by the contractor or subcontractor making the purchase.

Prime Contractor

Name Strawser Construction Inc.
 Signed by _____
 Title _____
 Street address 1392 Dublin Road
 City, state, ZIP Columbus, OH 43215
 Date _____

Owner/Contractee

Name _____
 Signed by _____
 Title _____
 Street address _____
 City, state, ZIP _____
 Date _____

Subcontractor

Name _____
 Signed by _____
 Title _____
 Street address _____
 City, state, ZIP _____
 Date _____

Political Subdivision

Name _____
 Signed by _____
 Title _____
 Street address _____
 City, state, ZIP _____
 Date _____

Road Name	Start	Limits	End	Square Yards
Winfield Way	Lytle Rd		CDS	1533.0
Beaumont Ct	Brookfield		CDS	507.0
Brookfield Dr	Old SR 73		CDS	5141.0
Bayberry Dr	Adamsmoor Dr		CDS	560.0
Crimson Ct	White Rose		CDS	1299.0
White Rose Dr	Adamsmoor Dr		CDS	1405.0
Rosebud Ct	Adamsmoor Dr		CDS	1200.0
Rose Petal Ct	Rosebud		CDS	920.0
Church St	Main St		end	1933.0
4th St	High St		end	1000.0
Joycie Ln	6th		CDS	2943.0
Wayne Ct	Joycie		CDS	917.0
Hickory Dr	Anson		CDS	2433.0
Anson Dr	Preston		end	1907.0
Rhondavu Ct	Hickory		CDS	767.0
Brentwood Ct	Hickory		CDS	767

Total Square Yards 25232

RESOLUTION NO. 2023 - 019

PROPOSING A REPLACEMENT POLICE LEVY AS SET OUT IN OHIO REVISED CODE SECTION 5705.19(J) TO BE SUBMITTED TO THE ELECTORS

WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Village of Waynesville, Warren County, Ohio; and

WHEREAS, the present police levy will expire at the end of tax year 2022; and

WHEREAS, the Village Council wishes to replace the existing police levy for a five-year period of time effective with tax year 2023.

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

Section 1. That it is necessary to levy a tax in excess of the ten-mill limitation for the benefit of the Village of Waynesville, Warren County, Ohio, to replace an existing levy.

Section 2. That said tax is for providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.33 of the Revised Code, for the provision of ambulance or emergency medical services operated by a police department, or for the payment of other related costs pursuant to Ohio Revised Code Section 5705.19(J).

Section 3. That this tax is to be a replacement at a rate not exceeding 7.00 mills for each one dollar of valuation, which amounts to \$0.70 for each one hundred dollars of valuation for five years commencing with tax year 2023. This tax is a replacement of the existing levy of 7.00 mills.

Section 4. That the question of the replacement tax levy shall be submitted to the electors of the Village of Waynesville at the election at the usual places in said Village on the 7th day of November, 2023. The following ballot language shall be used:

VILLAGE OF WAYNESVILLE
REPLACEMENT POLICE LEVY

A tax to replace an existing tax for providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.33 of the Revised Code, for the provision of ambulance or emergency medical

services operated by a police department, or for the payment of other related costs at a rate not exceeding 7.00 mills per dollar of valuation which amounts to \$0.70 per one hundred dollars in valuation for 5 years.

- FOR THE REPLACEMENT TAX
- AGAINST THE REPLACEMENT TAX

Section 5. That said levy be placed upon the tax lists commencing with the tax year 2023.

Section 6. That the Clerk of this Council be and is hereby directed to certify copies of this Resolution to the Board of Elections, Warren County, Ohio, immediately after its passage and notify said Board of Elections to cause notice of questions of levying said tax to be given as required by law.

Section 7. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

Dated this _____ day of _____, 2023.

Mayor

Attest:

Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council of the Village of Waynesville, hereby certifies this to be a true and exact copy of Resolution No. 2023-____, adopted by the Council of the Village of Waynesville on _____, 2023.

Clerk of Council

Council Report

May 15, 2023

Chief Copeland

Manager

- Brian Keith and Brian Corn from the Village Maintenance Department worked at the April 29th Recycle Rally at the Wayne Local Schools from 9am – 2pm.



- I met with Kyle Stricker of Strawser Construction regarding microsurfacing the streets listed below. I received the proposal on May 8th which has been attached for your review (the full descriptive proposal is with the ordinance). They are looking to begin this project in late June or early July, weather permitting. The Council Finance Committee has appropriated \$150,000.00 for street repairs and the proposal is for \$91,844.48. I have prepared the ordinance for \$100,000.00 in the event we identify additional streets that need to be added to the list.

Windfield Way	Beaumont Ct	Brookfield Dr	Bayberry Dr
Crimson Ct	White Rose Dr	Rosebud Ct	Rose Petal Ct
Church St	Joycie Ln	Wayne Ct	Hickory Dr
Anson Dr	Rhondavu Ct	Brentwood Ct	4 th St

- The Surplus items below were sold on GovDeals for a total amount of \$2,941.00.

Oster Manufacturing pipe threader	Rollpac Asphalt Roller drum
Industrial homemade press	Yamaha golf cart
Police light bar	1998 16' x 7' Trailer
Scott air-pac	Honda 4 stroke water pump
Quick freezer	Grab all extended gripper.

- Brian and Greg of the Village Maintenance Department completed the walls of the additional storage area in the main garage. They will be taping and painting it within the next few weeks.



- Mayor Isaacs, Mrs. Miller, Lt. Bledsoe and I met with Justin Wittenmyer of Flock Safety about the camera systems they offer. Justin provided a short demonstration and a rough idea of the cost. He will be sharing a PowerPoint that I will forward to the Council when it is received. The information will be shared with the Finance Committee for discussion.



- Joel from Fed Excavating has purchased the materials for the Well #10 driveway. The road materials are being stored at the Village well field in preparation of beginning the project. Fed Excavating will begin the road as soon as the rain stops and the ground dries. Moody did attempt to take the large drill truck to the Well #10 location but it got stuck halfway out. They will be making arrangements to get the equipment out once the ground dries. This project is on hold contingent on the weather permitting and the ground dries.
- I want to thank Councilman Chris Colvin for discussing the Village OPWC Franklin Road phase II project with the Wayne Township Trustees and Administrator. I have included a letter that was presented to the Trustees in an effort to have them participate in this multijurisdictional project that benefits residents of the Village and Township.
- The Wayne Local Schools six grade students will be having a time capsule celebration on Tuesday, May 16th at 12:15pm. It is not a public event, but the Mayor and Council are invited to attend this event.

- I have provided a report from Nimbus3 Cybersecurity Consulting to the Village Council and our information technology representative **ONLY** for your review. This report **IS NOT** to be shared with anyone because of security issues identified in the assessment report. The assessment results have been shared with our IT representative, so we can take necessary measures to secure our system.
- The Maintenance Department repaired some potholes and other street issues this past week. Please let me know if you identify any areas that need attention.



- I am providing a follow up on the property at 577 High Street. I spoke with Sherra Wilson of 597 High Street and she advised that she is not interested in purchasing that property. After reviewing our building specifications and lot size, it appears that the lot at 577 High St. is buildable for a small home. I would like Council to provide me with a sale price to list the property and I will work on selling it.

Police

- I have provided the April dispatched calls for service for your review. Feel free to contact me with any questions or concerns.
- The April Mayor's Court report has been included and feel free to contact Ashley or I if you have any questions.
- The Waynesville Police Department participated in the Drug Take Back program on April 29th from 9am – 2pm. We collected 45.9 lbs. of prescription drugs which will be turned over to the Drug Enforcement Agency (DEA) for disposal.



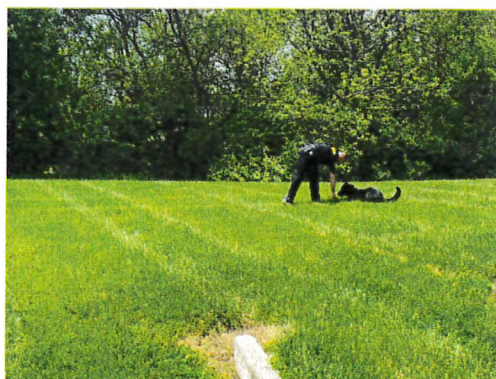
- Judge Loxley and Judge Tepe of the Warren County Courts hosted a mentor appreciation awards breakfast meeting at the Lebanon YMCA on May 3rd beginning at 7:30 am. Council member Brian Blankenship and Village resident Edward Bellman received special awards for the services they provide as mentors for the Veterans Court program.



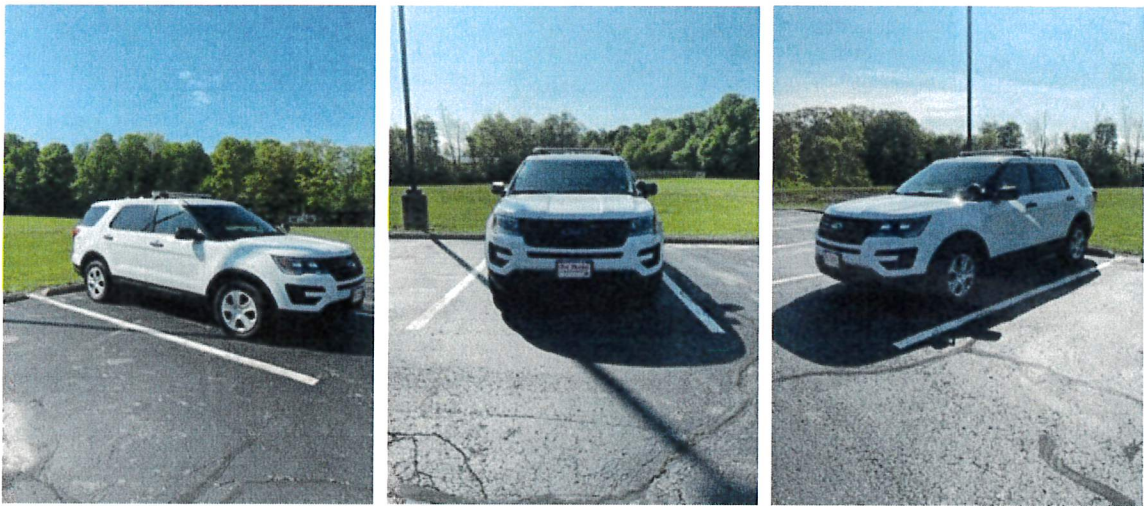
- I provided a copy of my Chief's In-Service and Annual Conference certificate awarded by the Ohio Association of Chief's of Police from April 23 – April 25, 2023. The courses identified in the certification count toward the State required continuing professional service training.
- I am providing a flyer for the Warren County Police Memorial Service which everyone is invited to attend on Monday, May 15th at 10am at 822 Justice Dr. in Lebanon.



- Sheriff Sims, Mayor Isaacs, and I attended the 5th grade DARE graduation on Thursday, May 11th at the Wayne Local Schools. Photos of the event have been included.



- I have been searching for a replacement cruiser for about 6 weeks and was advised by Ford that there is a 1.5 year wait on new Ford SUV Interceptors. On Wednesday, May 3rd I located a 2018 White Ford Explorer Police Interceptor with 56,329 miles in Indiana. The unit included the light bar, siren system, and patrol radio. After researching it further, it was discovered that the vehicle was traded in by a local fire department and was in great shape as observed in the photos provided. The Council Finance Committee was contacted about the unit. I spoke with Bob Walter and negotiated a sale price of \$24,990.00. The sale price included the emergency vehicle equipment which was valued at approximately \$5,000.00. The cruiser was picked up on May 4th and arrangements are being made to complete the vehicle markings and equipping.



- I would like to thank School Resouce Officer Mermann for continously building the relationship between the Village and Schools. On Friday, May 12th he brought in his personal smoker and cooked pulled pork for the teachers and staff. I received several positive comments about him and his cooking.





A COLAS COMPANY

1392 DUBLIN ROAD – COLUMBUS, OH 43215 – PHONE (614) 276-5501 – FAX (614) 276-0570
www.strawserconstruction.com

PROPOSAL

5/8/2023

Gary Copeland
Village of Waynesville
1400 Lytle Rd
Waynesville, OH 45068
513-897-8010
gcopeland@waynesville-ohio.org

2023 Micro Surfacing

Dear Gary Copeland,

Strawser Construction Inc. is pleased to present the following proposal for your review.
All measurements were obtained digitally. Invoice will be billed per field measurement of work in place.
We will furnish all labor, equipment and materials to complete the following scope of work:

Micro Surfacing

Clean pavement to be free of debris and vegetation.
Install Micro Surfacing @ 20lb/sy. This item is contracted via ODOT 101G

Type of Work 1	Quantity	Unit of Measure	Unit Price	Extension
Micro Surfacing	25,232.00	SY	\$3.64	\$91,844.48

Type of Work 2	Quantity	Unit of Measure	Unit Price	Extension
				\$0.00

Total \$91,844.48

VILLAGE OF
Waynesville

1400 Lytle Road • Waynesville, Oh 45068, • Phone 513-897-8015 • Fax 513-897-2015
www.villageofwaynesville.org

Date: May 2, 2023

To: Mr. Edwards and Township Trustees

From: Gary Copeland, Village Manager

Re: Ohio Public Works Commission Grant

Mr. Edwards and Township Trustees:

The Village Council and I are cordially asking Wayne Township to participate in a multi-jurisdictional Ohio Public Works Commission grant for the Village of Waynesville/Wayne Township residents. This project benefits township residents by replacing waterlines and repaving Franklin Road from Old Stage Road to Lytle Road, which includes the replacement of all fire hydrants. The contribution amount we seek from Wayne Township is 1.9% (or \$25,000) of the Franklin Road Phase II project. If you have any questions or concerns, please feel free to contact me at your earliest convenience.

Again, on behalf of the Council and myself, we would like to thank you for your consideration in assisting us with this important project.

Sincerely,


Gary Copeland
Village Manager

CALLS FOR SERVICE

From Date: 04/01/2023 12:00:00am

To Date: 04/30/2023 11:59:59pm

Type Description	Count
911 Hangup / Silent	16
Abduction/Hostage Situation	1
Alarm	10
Alarm - Hold Up Alarm	5
Animal Complaint	3
Burglary	2
Business Check	200
Citizen Assist	8
Civil Process	3
Criminal Damaging	2
Domestic Violence	3
Escort	2
Extra Patrol	126
Fire - Electric Hazard	2
Fire - Fire Alarm	1
Fire - Service Call	1
Follow Up Investigation	15
Harassment/Stalking/Threat	3
Juvenile Complaint	4
Lock Out	4
Medical	21
Mental Disorder	1
Noise Complaint	1
Notification Only	3
Parking Complaint	3
Phone Call	16
Protection Order Viol. - Past	1
Recovered Property	2
Road Closure	2
Road Hazard/Disabled Vehicle	4
Shots Fired	1
Special Detail	3
Subject with a Weapon	2
Suspicious Person	5
Suspicious Vehicle	7
Theft	4
Traffic Crash	1
Traffic Offense	4
Traffic Stop	85
Trespassing	2
Utility Problem	1
Vacation House Check	17
Well Being Check	7
TOTAL	604

Monthly Mayor's Court Report

WAYNESVILLE MAYOR'S COURT
Cash Flow for April 2023

Page : 1
Report Date : 05/01/2023
Report Time : 13:40:46

	Current Period	Year-To-Date	Last Year-to-Date
City Revenue From:			
Court Costs			
COMPUTER FUND	\$792.00	\$3,006.00	\$2,088.00
LOCAL COSTS	\$3,166.00	\$12,703.00	\$8,969.00
Additional Costs	\$0.00	\$68.00	\$0.00
Fines			
City Revenue From Fines	\$7,225.70	\$30,035.14	\$22,397.35
Fees			
Fees	\$100.00	\$360.00	\$1,095.55
Miscellaneous/Other			
Miscellaneous/Other	\$0.00	\$-124.24	\$0.00
Bond Forfeits			
Bond Forfeits	\$0.00	\$0.00	\$390.00
Miscellaneous/Other			
Bond Administration Fees	\$0.00	\$0.00	\$0.00
Total to City:	\$11,283.70	\$46,047.90	\$34,939.90
State Revenue From:			
Court Costs			
VICTIMS OF CRIME	\$792.00	\$2,969.00	\$2,079.20
DRUG LAW ENFORCEMENT FUND	\$304.50	\$1,148.00	\$780.50
INDIGENT DEFENSE SUPPORT FUND	\$2,215.00	\$8,290.00	\$5,745.00
Fees			
Fees	\$0.00	\$0.00	\$30.00
Total to State:	\$3,311.50	\$12,407.00	\$8,634.70
Other Revenue From:			
Court Costs			
INDIGENT DRIVER ALC TREATMENT FUND	\$130.50	\$492.00	\$334.50
Restitution			
Restitution	\$100.00	\$305.56	\$0.00
Total to Other:	\$230.50	\$797.56	\$334.50
TOTAL REVENUE *	\$14,825.70	\$59,252.46	\$43,909.10
*Includes credit card receipts of	\$3,665.00	\$18,022.00	\$15,466.00

END OF REPORT

OHIO ASSOCIATION OF CHIEFS OF POLICE

Education Committee

presents this Certificate of Recognition to

Gary Copeland, CLEE

gcopeland@waynesville-ohio.org

for successfully completing the
Chiefs' In-Service & Annual Conference

on

APRIL 23 – 25, 2023

-
- Criminal Law Updates (1.5 general hours) - course number 23CPT415
 - Legal Updates - Public Records Law Updates (1 general hour) - course number 23CPT382
 - Legal Updates - Employment Law Decisions Update (1.5 general hours) - course number 23CPT369
 - Legal updates - Unions, Collective Bargaining Trends (1.5 general hours) - course number 23CPT370
 - Visions of Future of Law Enforcement- Diversity, Equity, Inclusion (1.5 general hours) - course number 23CPT371
- *CPT approval numbers for use by those who attended/signed into the above sessions*
-



Chief Charles Chandler
President, OACP



Chief Roy E. Mosley, III, CLEE
Education Committee Chair

The Warren County Police Chiefs Association along with the Warren County FOP Lodge 103 present:

Warren County Annual Police Memorial Service May 15, 2023 at 10:00 a.m.

On Monday, May 15th, at 10:00, the Warren County Police Chiefs Association will honor our county's seven fallen officers at the annual Warren County Police Memorial Ceremony held in conjunction with National Police Week each May. The ceremony pays tribute to Officer George Basore (Franklin P.D), Sheriff W.E. Graham (Warren County Sheriff's Office), Deputy Homer Burlile (Warren County Sheriff's Office), Chief James Elder (Mason Police Department), Officer William Johnson (Springboro Police Department), Officer Jeffrey Phegley (Morrow Police Department), and Sergeant Brian Dulle (Warren County Sheriff's Office) who all gave their lives in service to their community. In addition to those who have fallen in the line of duty, a moment of silence will be dedicated to all Warren County Law Enforcement Officers who are no longer with us today.

The public is welcome to attend the ceremony that will be held directly outside the memorial near the Warren County Sheriff's Office, 822 Memorial Drive Lebanon, Ohio. Those community members wishing to attend are asked to park at the Warren County Administration Building, 406 Justice Drive. Please plan to arrive before the start of the ceremony at 10:00 a.m.

After completion of the ceremony, a procession will begin at the memorial and end at LIFEHOUSE Church, 2234 Utica Road, Lebanon, Ohio. Once the procession is complete, all surviving family members of fallen officers, elected officials, and all law enforcement officers are invited to remain at LIFEHOUSE Church to attend the FOP Memorial Luncheon that is provided by the Warren County Sheriff's Office and the Warren County Prosecutor's Office.

The ceremony will be held virtually on our Youtube channel, <https://youtube.com/live/Q5QYGVrbbmE?feature=share>

