



## **COUNCIL AGENDA**

**Monday, November 18, 2024 – 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, November 4, 2024 at 6:00 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 NO. 2023-040**

AN ORDINANCE ESTABLISHING CERTAIN POSITIONS AND AMENDING THE BASE PAY RATES AND RANGES OF VILLAGE OF WAYNESVILLE EMPLOYEES AND DECLARING AN EMERGENCY

### **ORDINANCE NO. 2024-041**

AN ORDINANCE AUTHORIZING VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH CHASE KIRBY FOR PROSECUTING SERVICES FOR THE VILLAGE OF WAYNESVILLE AND DECLARING AN EMERGENCY

### **ORDINANCE NO. 2024-042**

AN ORDINANCE APPOINTING JEFFREY D. FORBES AND THE LAW FIRM OF WOOD & LAMPING LLP AS LAW DIRECTOR FOR THE VILLAGE OF WAYNESVILLE, OHIO, AND ESTABLISHING THE COMPENSATION

## **Second Reading of Ordinances and Resolutions:**

### **ORDINANCE NO. 2024-039**

ADOPTING A SCHEDULE FOR WATER RATES AND STORM SEWER RATES FOR THE VILLAGE OF WAYNESVILLE FEE SCHEDULE

## **Tabled:**

IX. Executive Session

X. Adjournment

*Next Regular Council Meeting:*

**December 2, 2024 at 7:00 pm**

*Upcoming Meetings and Events:*

Finance Meeting, November 18, 2024 @ 6:00 p.m.

Public Works Committee, December 2, 2024 @ 6:00 p.m.

Parks & Recreation, January 21, 2025 @ 5:00 p.m

**DRAFT**

None

## Old Business

None

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## Reports

## Finance

The Finance Committee will meet next on November 18th at 6:00 p.m.

## Public Works Report

Public Works met this evening and discussed projects throughout the Village. The next meeting will be on December 2, 2024 at 6 p.m.

## Special Committee Report

Parks and Rec will meet on January 21, 2025 at 5:00 p.m. The purpose of the meeting is to work with the school on Bicentennial Park and get more details on the proposed park at Mary L. Cook.

## Village Manager Report

- The staff Christmas Party date is December 6<sup>th</sup> or 13<sup>th</sup>.
- Chief Copeland stated he is working on putting together the paperwork for the DORA District with more detailed rules and regulations. Mr. Forbes said it could be an amendment to the previous ordinance.
- The Maintenance Barn has been completed. It was power washed, rust inhibitor was applied, paint was painted, and the roof was repaired.
- The Street Department has been out repairing potholes.
- Fed Excavating has completed replacing the catch basins.
- The Water Department has installed several more cameras and motion sensor lights around the bulk water station.
- Molly Wentworth has submitted a bill to be split three ways between the Village, MOMS, and the Chamber for greenery to decorate Main Street.
- Well 6 needed a new pump. The last one went bad because of iron build-up on the screen. The cost was \$7500 to replace it, which has been done, and the well is back online.
- Chief Copeland is working with Molly Conley from Warren County Soil and Water on the Hoffman property. Several violations occurred when the land was cleared at the corner of Route 42 and Corwin. Mr. Forbes is working on a cease and desist letter.

- A flyer for the ribbon cutting for Taylor's Creamery has been provided.
- Chief Copeland thanked the Colvin family and Dave Stubbs for decorating Main Street for the holidays.

## **Police Report**

- October Calls for service, Mayor's Court Month End, and Code Enforcement reports have been provided for review.
- Provided a thank you letter from Tommy Howard, Warren County Assistant Prosecutor, who attended a ride-along with an officer and received a tour of the Village's facility.
- Officer Mermann participated in the Waynesville School's Touch-a-Truck event. He also gave three lectures to high school students for Career Day on his experiences repairing Stihl products and police work.
- Trick-or-Treat was October 31<sup>st</sup> from 6-8. Extra patrols and the command vehicle were out during this time.

Mr. Colvin asked for the record to include Harry Marhoffer and Shane Rowlands as helpers putting up Christmas decorations on Main Street.

## **Financial Director Report**

- Ms. Morley said there was an ordinance on tonight's agenda. It is proposing to increase water rates by 4% over three years. She said this is needed due to the increased cost of supplies and services. It also proposes decreasing the storm sewer rate from \$6.00 to \$4.00. The Village has replaced most of the crumbling catch basins. \$4.00 will still allow to budget for replacing 4 to 6 basins a year and save for any larger projects. Ms. Morley added that unless a resident uses over 11K gallons of water a month, they should not see an increase in their water bill.
- Ms. Morley said she received notification from AES today on increasing their distribution fee. She noted that the unmetered light rate is doubling. She will need to contact AES to see how this will impact on the budget for Street Lights.

Mr. Gallagher warned the public that Centerpoint is also applying to the PCO to increase its distribution fee.

Mr. Lauffer stated that he was against the increase of water rates, but he understands things are getting more costly. He appreciated how Ms. Morley was able to suggest an adjustment of fees, so that the residents should not see an increase in the bottom line.



### **Executive Session**

Mr. Colvin moved to go into executive session at 7:26 p.m. to discuss the employment of public employees, and Mr. Gallagher seconded the motion.

Motion – Colvin

Second – Gallagher

### **Roll Call – 7 yeas**

Council returned from Executive Session at 8:10 p.m. and 7 were present.

All were in favor of adjourning at 8:11 p.m.

Date: \_\_\_\_\_

\_\_\_\_\_  
Jamie Morley, Clerk of Council

# Council Report

November 18, 2024

Chief Copeland

## Manager

- EJR Construction, LLC has completed replacing the roof at the Village Government Center, which covers an area of 13,500 square feet. The new roof is a heather blend in color and comes with a ten-year manufacturer's warranty. Additionally, the project included replacing a 20-foot by 25-foot section with an EPDM rubber roof.



- I have completed the Notice of Approval for the Village Designated Outdoor Refreshment Area, and it is now ready for your review. I want to extend a special “Thank You” to Police and Court Clerk Ashley Richardson for her assistance in reviewing and typing the document. If the Council approves the packet, they can make a motion to pass it as an official document for the Village DORA.

- Fresh Paint LLC has completed the cold barn. I have attached photos of the two maintenance buildings for your review.



- Mayor Isaacs and I attended the Veteran's Day breakfast and celebration at the Warren County Career Center on November 8th at 8 a.m.



- The Maintenance Department collects leaves throughout the village. The schedule for the various neighborhoods can be found on the Village webpage.



- I would like to inform the public that Sigma Technologies has submitted permit applications to install fiber optic cables in the northwest section of the Village for Cincinnati Bell. These applications are currently awaiting approval. The certificate of liability insurance has been received. If you have any concerns regarding property restoration, please contact the village.

- The two front windows at the Government Center have been replaced. The installation process was lengthy because they had to be specially ordered. These new windows are double-paned and tinted to match the other windows.



- The Mayor and I attended the ribbon-cutting ceremony for Taylor's Coffee and Creamery at 195 S. Main Street in Waynesville on November 15th at 10 a.m. This business is a fantastic addition to Main Street.



- The Wayne Township Recycle Rally, offered to Wayne Township and Village residents, is tentatively scheduled for May 3, 2025, at Wayne Local Schools from 9 AM to 2 PM.

# Police

- I participated in Judge Tepe's Warren County Veteran's Court graduation celebration at the Warren County Common Pleas Court on November 13<sup>th</sup> at 11:30 a.m.



- The Waynesville Police Department has received our final certification for Group 5 of the Ohio Collaborative. Group 5 consists of two topics: Response to Mass Protests and Agency Wellness. After submitting numerous documents and training records and participating in interviews with an assessor, the Ohio Collaborative Community Police Advisory Board has deemed the police department in compliance with all the standards set forth for these topics.
- The Village Council has been invited to the Warren County Commissioners meeting room located at 406 Justice Drive, Lebanon, Ohio, on December 20<sup>th</sup> to celebrate the retirement of Sheriff Larry Sims. There will be an open house from 1:00 to 2:00 p.m., followed by a ceremony at 2:00 p.m.

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# ***Designated Outdoor Refreshment Area***

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***Village of Waynesville, Ohio***

## ***Notice of Approval***

***November 7, 2024***

1. DORA Application
2. Executed Ordinance
3. Street Boundary Listing
4. Acreage Certification
5. Population Statement



**APPLICATION TO THE WAYNESVILLE**  
**VILLAGE COUNCIL**

**DOWNTOWN WAYNESVILLE**  
**DESIGNATED OUTDOOR REFRESHMENT AREA**  
**(ORC 4301.82)**



The Office of the Village Manager for the Village of Waynesville, Ohio respectfully submits the following application to the Waynesville Village Council to approve and enact a Designated Outdoor Refreshment Area in Downtown Waynesville in accordance with ORC 4301.82.

Submitted: August 5, 2024

By: \_\_\_\_\_ Gary L. Copeland, Village Manager

## **I. INTRODUCTION AND SUBMITTAL OF APPLICATION**

The Office of the Village Manager of Waynesville respectfully submits the following application to Village Council of Waynesville, Ohio to approve and establish a Designated Outdoor Refreshment Area (hereinafter “DORA”), pursuant to Ohio Revised Code (“ORC”) 4301.82. The proposed application meets all the state requirements.

Effective April 30, 2017 Section 4301.82 of the Ohio Revised Code authorizes municipalities under 35,000 in population to create Designated Outdoor Refreshment Areas or “DORAs”. A DORA is an area where the open carry restrictions do not apply at particular hours, and adults are permitted to possess and consume alcohol in public, with certain restrictions. In order to consider the creation of a DORA, the Village Manager must file an application with Village Council which meets certain statutory requirements outlined below. The application filing must be advertised for two consecutive weeks in a newspaper of general circulation. Not earlier than 30 days, but not later than 60 days, after the initial publication of the notice, Village Council may approve or disapprove of the application by ordinance or resolution.

The Downtown business community in coordination with the Waynesville Merchant’s Association (WMA) submitted a petition in August to the Waynesville Village Council proposing the creation of a DORA in Downtown Waynesville. The creation of a DORA will provide additional economic enhancement for attracting patrons to Downtown Waynesville and highlight the area as a destination for dining and entertainment. Over the past three months, the WMA and Village administration have engaged the community for input and feedback on the DORA concept. The community engagement concluded with a public hearing at the Village Council on September 16, 2024, from which the group provided input and expressed general support for the concept and indicated by discussion to pursue the creation of DORA.

The purpose of this application is to request that the Village Council create and approve a Designated Outdoor Refreshment Area (DORA) in the Village of Waynesville. The application includes the following sections:

|               |                                    |
|---------------|------------------------------------|
| SECTION II.   | BOUNDARY MAP OF THE PROPOSED DORA  |
| SECTION III.  | NATURE AND TYPES OF ESTABLISHMENTS |
| SECTION IV.   | QUALIFIED PERMIT HOLDERS           |
| SECTION V.    | LAND USE AND ZONING                |
| SECTION VI.   | SAFETY PLAN                        |
| SECTION VII.  | PUBLIC HEALTH PLAN                 |
| SECTION VIII. | SIGNAGE PLAN                       |
| SECTION IX.   | DORA RULES OF OPERATION            |

## II. BOUNDARY MAP OF THE PROPOSED DORA

In accordance with ORC 4301.82(B)(1)(b), the boundaries of the DORA are depicted in the map provided in **Exhibit A**. The map includes a list of establishments that have the required Class D liquor permits within the area. Currently, five (5) establishments have been identified that qualify to be included in the DORA. The proposed DORA boundary encompasses approximately 19 acres in size which is below the requirements of the area being 320 acres or less. The following is the list of street addresses of real property included within the boundaries of the DORA.

| STREET NAME | ADDRESS RANGE | EVEN/ODD |
|-------------|---------------|----------|
| S. MAIN ST. | 12 – 296      | EVEN/ODD |
| N. MAIN ST. | 9 – 99        | EVEN/ODD |
| HIGH ST.    | 185 – 260     | EVEN/ODD |
| MIAMI ST.   | 155 – 276     | EVEN/ODD |

## III. NATURE AND TYPES OF ESTABLISHMENTS

In accordance with ORB 4301.82(B)(2), the nature and types of establishments that will be located within or adjacent to the DORA are primarily businesses in the retail, restaurant, and services sectors. Within the DORA, some of the buildings have businesses consisting of retail, restaurants and commercial services on their first floor. The upper-level floors have residential units. Examples of the retail, restaurant, and service establishments located in the DORA:

| RETAIL                   |                       |
|--------------------------|-----------------------|
| ESTABLISHMENT            | ADDRESS               |
| BUCKEYE CHARM            | 260 HIGH ST.          |
| TOUCH OF HEAVEN ANTIQUES | 258-A S. MAIN ST.     |
| LOVELESS EDGE BOUTIQUE   | 98 S. MAIN ST. UNIT B |

| FINANCE/SERVICE COMMERCIAL  |                 |
|-----------------------------|-----------------|
| ESTABLISHMENT               | ADDRESS         |
| LCNB                        | 9 N. MAIN ST.   |
| ON TARGET HEATING & COOLING | 215 S. MAIN ST. |
| NIKKI'S NAIL NOOK           | 38 S. MAIN ST.  |

| DINING             |                 |
|--------------------|-----------------|
| ESTABLISHMENT      | ADDRESS         |
| STONE HOUSE TAVERN | 258 S. MAIN ST. |
| HAMMEL HOUSE INN   | 121 S. MAIN ST. |
| MAMI FINA'S        | 10 N. MAIN ST.  |

Residential housing within the DORA is limited and consists primarily of urban apartments. There are a limited number of single-family residential units along the periphery of the DORA.

#### IV. QUALIFIED PERMIT HOLDERS

In accordance with ORC 4301.82(B)(3), the DORA will encompass not fewer than four qualified holders as defined by ORC 4301.82(A). The Village of Waynesville has identified 5 qualified permit holders that will likely be included in the DORA, which are identified as follows:

| PERMIT HOLDER             | ADDRESS         | PERMIT CLASS | PERMIT NO.  |
|---------------------------|-----------------|--------------|-------------|
| HAMMEL HOUSE INN          | 121 S. MAIN ST. | D5I, D6      | 12569800005 |
| BENTINO'S PIZZA           | 140 S. MAIN ST. | D1, D2, D6   | 3423872     |
| VILLAGE FAMILY RESTAURANT | 144 S. MAIN ST. | D5I, D6      | 0699454     |
| STONE HOUSE TAVERN        | 258 S. MAIN ST. | D1, D2, D3   | 8605430     |
| MAMI FINA'S               | 10 N. MAIN ST.  | D5, D6       | 1410320     |

#### V. LAND USE AND ZONING

In accordance with ORC 4301.82(B)(4), the land uses within the DORA are zoned Neighborhood Commercial (NC) as provided in **Exhibit B** and are in accordance with the Township's Master Zoning Plan. The Township's Master Zoning Plan states there are to be no more than 3 DORAs within the Township (the township currently has zero DORAs), and there are at least 2 qualified DORA permit holders (the village currently has 5 permit holders).

## **VI. SAFETY PLAN**

In accordance with ORC 4301.82(B)(5) and (F)(1)(d), a Safety Plan has been developed to ensure public safety in the DORA. A copy of which is attached hereto as **Exhibit C**. The Safety Plan can be executed with existing staff.

## **VII. SANITATION PLAN**

In accordance with ORC 4301.82(B)(5), (F)(1)(e), and (F)(1)(f), a Sanitation Plan has been developed that will help maintain the appearance and public health of the area within the DORA. A copy is attached hereto as **Exhibit D**. The Sanitation Plan can be executed with existing staff.

## **VIII. SIGNAGE PLAN**

In accordance with ORC 4301.82(F)(1)(b), a minimum of 18 signs will be placed throughout the business district designating the boundary of the DORA. The signs will be located at all street intersections along the boundary of the DORA. The location and spacing of the signs are shown on attached **Exhibit A**.

## **IX. RULES OF OPERATION**

### **A. Hours of Operations**

In accordance with ORC 4301.82(F)(1)(c), the DORA's hours of operation will be Monday through Friday from 5:00 p.m. to 9:00 p.m., Saturday from 12:00 p.m. to 9:00 p.m., and Sunday from 12:00 p.m. to 4:00 p.m.

The applicant requests that the Village Council reserve the right to temporarily suspend DORA operations in order to accommodate the permitting of special events that may occur within the boundaries of the DORA (such as the Sauerkraut Festival).

### **B. Official DORA Cup**

In accordance with ORC 4301.82(F)(1)(g), beer, wine, and intoxicating liquor shall only be consumed within the DORA as follows:

Beer, wine, and intoxicating liquor shall only be served and consumed within the DORA in the specifically designated plastic cup approved by the Village Manager (the "Official Cup"). The Official Cup will be distinctly marked to indicate the seller.

No other container will be permitted. Used cups must be disposed of before entering any establishment of a qualified permit holder.

The Official Cup must have the DORA logo with “Designated Outdoor Refreshment Area,” “Waynesville,” and the permit holder’s name printed on one side. On the opposite side, it must state the DORA rules which are as follows:

- Hours of Operation
  - Monday-Friday 5:00 pm – 9:00 pm
  - Saturday 12:00 pm – 9:00 pm
  - Sunday 12:00 pm – 4:00 pm
- Patrons must only consume DORA beverages in a designated cup.
- Patrons cannot carry DORA beverages from one participating DORA establishment to another and must stay within the DORA boundary.
- PLEASE DRINK RESPONSIBLY

### **C. Additional Requirements**

In accordance with ORC 4301.82(B)(5), and in conjunction with other rules, standards, and requirements set forth in this application, additional rules and requirements for the purpose of ensuring public safety and health within the DORA are as follows:

1. A person may have in the person’s possession an open container of beer, wine, or intoxicating liquor at an outdoor location within the DORA if the open container of beer, wine, or intoxicating liquor was purchased from a qualified permit holder to which the following apply:
  - a. The permit holder’s premises are located within the DORA; and
  - b. The permit held by the permit holder has an outdoor refreshment area designation; and
  - c. The open container consists of an official DORA cup.
2. No person shall do any of the following:
  - a. Enter the premises of an establishment of a qualified permit holder within the DORA while possessing an open container of beer, wine, or intoxicating liquor acquired elsewhere, or
  - b. Possess an open container of beer, wine, or intoxicating liquor while being in or on a motor vehicle within the DORA, unless the possession is otherwise authorized under division (D) or (E) of ORC 4301.62.

# Exhibit A



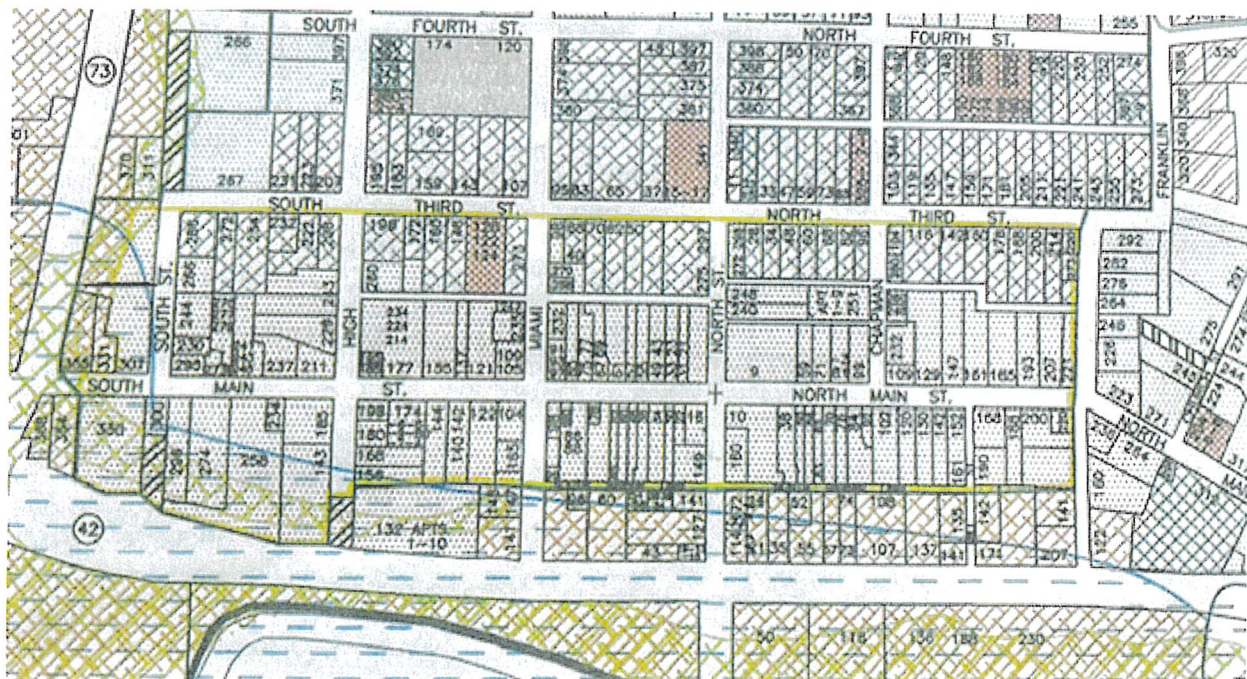
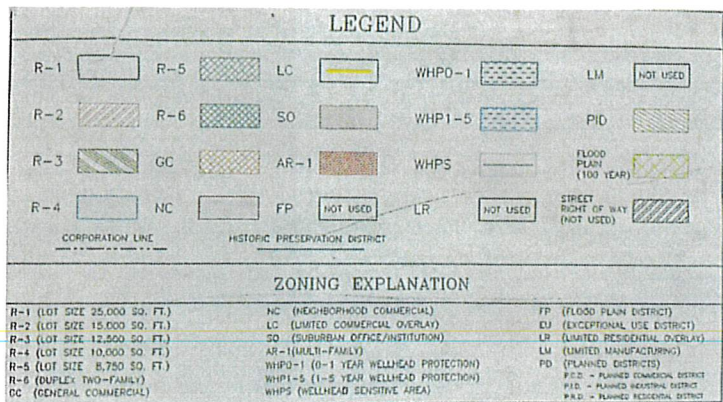
DORA Boundary

Permit Holders

DORA signs

1. Stone House Tavern
2. Village Family Restaurant
3. Bentino's Pizza
4. Hammel House Inn
5. Mami Fina's

# Exhibit B – Zoning Map



# EXHIBIT C – SAFETY PLAN

In accordance with ORC 4301.82(B)(5), the proposed requirements for the purpose of ensuring public safety within the Designated Outdoor Refreshment Area (DORA) are as follows:

## **PUBLIC SAFETY PLAN**

Village of Waynesville Police Department and Wayne Township Fire Department will be responsible for providing public safety within the DORA through law enforcement and fire/EMS services.

### **Law Enforcement Responsibilities**

The Waynesville Police Department will be responsible for providing law enforcement services within the DORA. A uniformed officer will include the DORA as part of their routine patrol.

For planned events in the DORA that may draw a larger than normal attendance, the Chief of Police may have additional officers and/or other agency personnel assigned specifically to the DORA (excluding the Sauerkraut Festival, during which the DORA will be suspended).

### **Fire Responsibilities**

The Wayne Township Fire Department will be responsible for providing fire, rescue and EMS within the DORA.

For planned events in the DORA that may draw a larger than normal attendance, the Fire Chief may stage personnel and/or equipment in a location within or near the DORA to allow for an immediate response (excluding the Sauerkraut Festival, during which the DORA will be suspended).

## **EXHIBIT D – SANITATION PLAN**

In accordance with ORC 4301.82(B)(5), the proposed requirements for the purpose of ensuring public health within the Designated Outdoor Refreshment Area (DORA) are as follows:

### **SANITATION PLAN**

Trash cans are located every 75 feet throughout the proposed DORA. The Waynesville Merchant's Association (WMA) will ensure that the cans are emptied and properly maintained.

A public restroom is available at 78 S. Main St. Additional restrooms will be provided by the Hammel House Inn, Bentino's Pizza, Stone House Tavern, Village Family Restaurant, and Mami Fina's.

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# ***Designated Outdoor Refreshment Area***

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***Executed Ordinance***



ORDINANCE 2024 - 031

**CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA AND  
ESTABLISHING REQUIREMENTS TO ENSURE PUBLIC HEALTH AND SAFETY  
WITHIN SUCH AREA**

WHEREAS, Section 4301.82 of the Ohio Revised Code permits the Village of Waynesville to create and approve an application for one "Designated Outdoor Refreshment Area" within its corporate limits; and

WHEREAS, an application in compliance with Section 4301.82(B) of the Ohio Revised Code was filed with Village Council to have certain property designated as an outdoor refreshment area on August 5, 2024; and

WHEREAS, beginning August 9, 2024, notice of the filing and consideration of said application was published in a newspaper of general circulation in the Village of Waynesville once a week for two separate weeks in compliance with Sections 4301.82(C) and 4301.82(F)(2) of the Ohio Revised Code; and

WHEREAS, on September 16, 2024, Village Council conducted a public hearing on its consideration of the application; and

WHEREAS, Village Council finds that the application is in compliance with Section 4301.82(B) and that the "Designated Outdoor Refreshment Area" to be created would be in compliance with Section 4301.82(D).

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

Section 1. The application for the designation of certain property in the Village as a "Designated Outdoor Refreshment Area" submitted to this Council on August 25, 2024, is hereby approved, and there is hereby created an outdoor refreshment area.

Section 2. In order to ensure the public health and safety within the "Designated Outdoor Refreshment Area", Village Council establishes the following requirements:

(a) The specific boundaries of the "Designated Outdoor Refreshment Area", including street addresses are shown on Exhibit "A" attached hereto and incorporated herein by reference;

(b) There will be signs designating the boundary of the "Designated Outdoor Refreshment Area". The location of the signs is shown on attached Exhibit "A", as indicated on the map. The signs will be post mounted and located at all street intersections along the boundary of the "Designated Outdoor Refreshment Area".

(c) The hours of operation for the "Designated Outdoor Refreshment Area" will be from 5:00 p.m. to 9:00 p.m. Monday through Friday, noon (12:00 p.m.) to 9:00 p.m. Saturday, and noon

(12:00 p.m.) to 4:00 p.m. Sunday. These hours of operation may be expanded by the Chief of Police and Village Manager with the concurrence of the Village Council. In no event shall the Designated Outdoor Refreshment Area be in operation during the Ohio Sauerkraut Festival.

(d) A Safety Plan has been developed to ensure public safety in the "Designated Outdoor Refreshment Area", a copy of which is included as part of Exhibit "A". The Safety Plan can be executed with existing staff.

(e) A Sanitation Plan has been developed to maintain the appearance and public health of the "Designated Outdoor Refreshment Area", a copy of which is included as part of Exhibit "A". The Sanitation Plan can be executed with existing staff.

(f) For purposes of the "Designated Outdoor Refreshment Area", beer and intoxicating liquor shall be served solely in plastic bottles or other plastic containers that are distinctly marked to indicate the seller. This distinction can take the form of a particular cup, unique sticker or other method approved by the Chief of Police.

Section 3. Five years from the effective date of the adoption of this Ordinance, Village Council shall review the operation of the "Designated Outdoor Refreshment Area" hereby created and shall either approve its continued operation or dissolve it. Such review shall be repeated five years after any subsequent approval of the "Designated Outdoor Refreshment Area" in the same manner.

Section 4. Village Council may, at any time, dissolve all or part of the "Designated Outdoor Refreshment Area."

Section 5. All reviews or other action taken under the authority of Section 3 and/or 4 of this Ordinance shall be proceeded by notice of the proposed action in a manner consistent with state law (presently Section 4301.82(H) and (I) of the Ohio Revised Code) in effect at the time of the proposed action.

Section 6. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 17<sup>th</sup> day of October, 2024.

Christopher L. Colan  
Mayor

Attest:

Janie Mey  
Clerk of Council

4574834.1

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# ***Designated Outdoor Refreshment Area***

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## ***Street Boundary Listing***



**STREET BOUNDARY INFORMATION  
DESIGNATED OUTDOOR REFRESHMENT AREA**

| STREET NAME | ADDRESS RANGE | EVEN/ODD |
|-------------|---------------|----------|
| S. MAIN ST. | 12 – 296      | EVEN/ODD |
| N. MAIN ST. | 9 – 99        | EVEN/ODD |
| HIGH ST.    | 185 – 260     | EVEN/ODD |
| MIAMI ST.   | 155 – 276     | EVEN/ODD |



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# ***Designated Outdoor Refreshment Area***

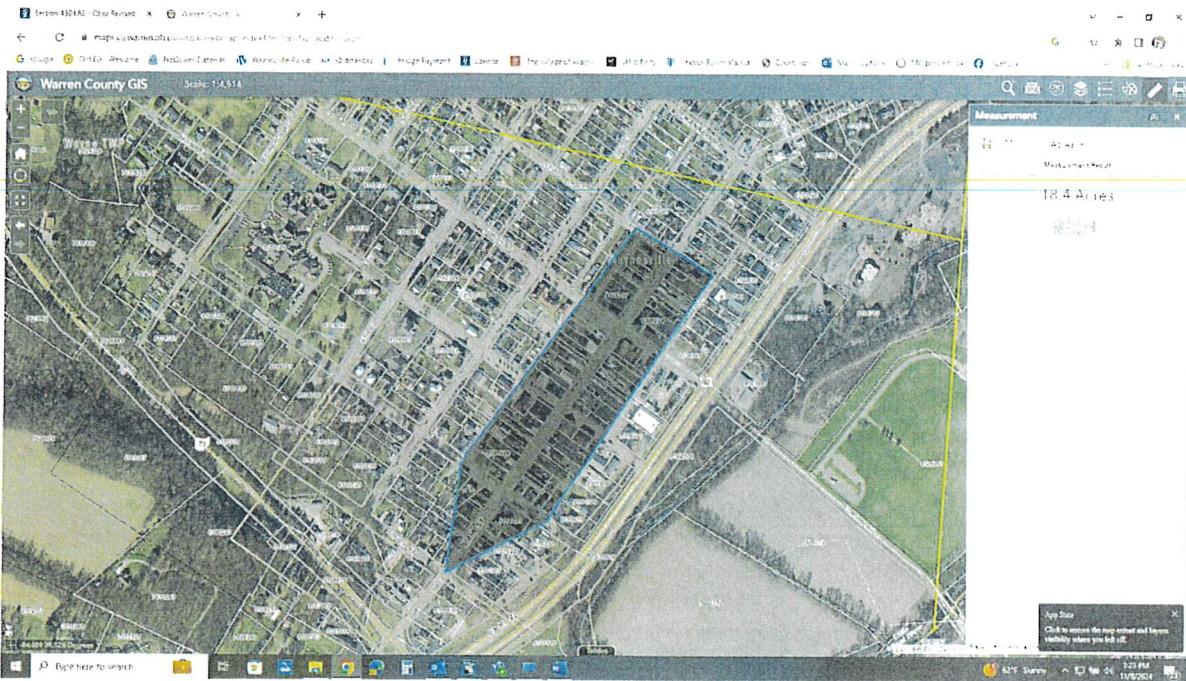
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## ***Acreage Certification***



## ACREAGE CERTIFICATION DESIGNATED OUTDOOR REFRESHMENT AREA

ORC 4301.82(B)(1)(b) states a proposed DORA may not exceed “320 contiguous acres if the municipal corporation has a population of fifty thousand or less”. After using the Warren County GIS online mapping, the DORA is approximately 19 acres as depicted in the below picture.



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Gary L. Copeland  
Village Manager



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# ***Designated Outdoor Refreshment Area***

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## ***Population Statement***



## **POPULATION STATEMENT DESIGNATED OUTDOOR REFRESHMENT AREA**

The Village of Waynesville's population as of the 2020 Census is 2,669, which complies with the requirements of Ohio Revised Code 4301.82(D)(3)(b).

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Gary L. Copeland  
Village Manager





## OHIO COLLABORATIVE LAW ENFORCEMENT AGENCY CERTIFICATION

November 12, 2024

Chief Gary Copeland  
Waynesville Police Department  
1400 Lytle Road,  
Waynesville, OH - 45068

Congratulations on achieving final certification with the Ohio Collaborative Group 5 (LE Response to Mass Protests/Demonstrations, Agency Wellness) standards. Your certificate serves as a reminder of your agency's commitment to law enforcement and the community you serve.

At your convenience, we would like to obtain your feedback on the on-site review process. Please complete the survey, found here: <https://www.surveymonkey.com/r/OnsiteAssessmentSurvey>

Please note, agencies will be required to maintain compliance on an annual basis. Each year agencies shall upload compliance documentation for all standards for which they are certified. This documentation shall be maintained by the agency and made available for review by an Ohio Collaborative law enforcement certification representative. Maintaining this compliance documentation allows each agency to prove policy compliance on an annual basis.

Your participation in the Ohio Collaborative law enforcement agency certification process is appreciated.

Sincerely,

A handwritten signature in black ink that reads "Nicole Dehner".

Nicole Dehner, Executive Director  
Office of Criminal Justice Services



Collaborative  
Community-Police  
Advisory Board

OHIO COLLABORATIVE  
LAW ENFORCEMENT AGENCY CERTIFICATION

# Final Certification

*Waynesville Police Department*

LE Response to Mass Protests/Demonstrations, Agency Wellness

*has been deemed compliant with the above standards as established by the Ohio Collaborative  
Community-Police Advisory Board*

November 12, 2024

A handwritten signature in black ink, appearing to read "Nicole Dehner", written over a horizontal line.

Nicole Dehner, Executive Director

# **WARREN COUNTY SHERIFF'S OFFICE RETIREMENT ANNOUNCEMENT SHERIFF LARRY L. SIMS**

AFTER 46 YEARS IN LAW  
ENFORCEMENT, WE  
INVITE YOU TO  
CELEBRATE SHERIFF  
SIMS' RETIREMENT.



COMMISSIONERS MEETING  
ROOM  
406 JUSTICE DRIVE, LEBANON,  
OHIO 45036

**FRIDAY**  
20 DECEMBER

**OPEN HOUSE**  
1-2PM

**CEREMONY**  
2PM

## Finance Director Report

November 18, 2024

Jamie Morley

- Jim Hough from Wade Insurance is scheduled to attend the next Finance Meeting on November 18<sup>th</sup> to go over HRA, Dental, Life, and Vision insurance renewals for employees.
- For the month of October, the village received \$18,96.82 in interest from the SWEEP account and \$2,547.28 from the STAR account.
- Just a reminder that the moratorium on recreational marijuana expires on January 16, 2024.
- I will attend a free class with the Ohio State Auditor on December 5 in Columbus. This class will provide instruction and tips on how to close out the year.
- I am still working on balancing the month of October. I did not get the water receipts to be entered into UAN until Wednesday's close of business (November 13<sup>th</sup>). Once they are completed, I will post the reports on Dropbox.
- Have a Happy Thanksgiving!!!

Thank You,

Jamie Morley

Finance Director/Clerk of Council

**ORDINANCE NO. 2023-040**

**AN ORDINANCE ESTABLISHING CERTAIN POSITIONS AND  
AMENDING THE BASE PAY RATES AND RANGES OF VILLAGE OF  
WAYNESVILLE EMPLOYEES AND DECLARING AN EMERGENCY**

WHEREAS, the Village Council of the Village of Waynesville has reviewed the base rates and ranges of Village of Waynesville employees; and

WHEREAS, Council recommends an adjustment to the base rates and ranges pursuant to the exhibit which is attached hereto and marked as Exhibit “A” and incorporated herein.

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

Section 1. That the established positions and base pay rates for Village of Waynesville employees shall be the positions, rates and ranges set forth on Exhibit “A” which is attached and incorporated herein by reference. These rates and ranges shall replace and supersede any other rates and ranges that are in conflict and shall be effective December 31, 2024.

Section 2. That this Ordinance is here by declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare, and shall be effective immediately upon its adoption. The reason for said declaration of emergency is the need to establish pay rates effective December 29, 2024.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

# Village of Waynesville – Employee Pay Ranges

## Administration

|                                     |                           |
|-------------------------------------|---------------------------|
| Village Manager / Safety Director   | Salary per Contract       |
| Finance Director / Clerk of Council | Salary per Contract       |
| Law Director                        | Compensation per Contract |
| Magistrate                          | Compensation per Contract |
| Part-time Administrative Employee   | \$14 - \$20               |

## Police Department

|                                    |                           |
|------------------------------------|---------------------------|
| Police Chief                       | Salary per Contract       |
| Lieutenant                         | \$29 - \$41.63            |
| Sergeant                           | \$27 - \$37.95            |
| Patrol Officer                     | \$23 - \$36.73            |
| School Resource Officer            | \$23 - \$36.73            |
| Scheduled Reserve Officer          | \$27                      |
| Reserve Secondary Officer          | \$15 per shift (no OPERS) |
| Mayor's Court Clerk / Police Clerk | \$17 - \$29.40            |
| Court Bailiff                      | \$25 per Shift (no OPERS) |
| Special Event Off-Duty Officer     | \$60 (per hour)           |

## Public Works Department

|                                   |                 |
|-----------------------------------|-----------------|
| Water Department Supervisor       | \$26 - \$39.78  |
| Water Licensed Operator           | \$25 - \$34.33  |
| Part-time Water Licensed Operator | \$23 - \$33     |
| Utility Billing Clerk             | \$17 - \$27.04  |
| Maintenance Worker II             | \$21 - \$33.28  |
| Maintenance Worker I              | \$17 - \$28.34  |
| Special Events Public Works       | \$50 (per hour) |

**Revised 2025**

**ORDINANCE NO. 2024-041**

**AN ORDINANCE AUTHORIZING VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH CHASE KIRBY FOR PROSECUTING SERVICES FOR THE VILLAGE OF WAYNESVILLE AND DECLARING AN EMERGENCY**

**WHEREAS**, Article VI, Section 6.03 of the Waynesville Charter provides that the Law Director shall be the prosecuting attorney for the Village; and

**WHEREAS**, Article VI, Section 6.03 of the Waynesville Charter allows Council to select Special Counsel to perform duties as determined by Council; and

**WHEREAS**, due to his experience, Council has determined that it is in the best interest of the Village to retain Chase Kirby as the Village prosecuting attorney.

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

**Section 1.** That Chase Kirby is hereby appointed Prosecuting Attorney of the Village of Waynesville.

**Section 2.** That the terms of compensation for prosecuting services shall be set forth in Exhibit "A" attached hereto and incorporated as if fully set forth herein.

**Section 3.** That the Village Manager is hereby authorized and directed to execute an agreement in substantial conformity with the agreement attached hereto as Exhibit "A".

**Section 4.** That this Ordinance was adopted in open public session pursuant to the Charter of the Village of Waynesville and the Ohio Revised Code.

**Section 5.** That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall be effective immediately upon its adoption. The reason for said declaration of emergency is to avoid a disruption in Prosecutor services.

Adopted this \_\_\_ day of \_\_\_\_\_, 2024.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

EXHIBIT "A"

**AGREEMENT FOR LEGAL SERVICES**

This Agreement, entered into this \_\_\_\_ day of \_\_\_\_\_ 20\_\_, between the Village of Waynesville, Ohio (hereinafter referred to as the "Village") and Chase Kirby, Attorney At Law (hereinafter referred to as "Kirby")

**WITNESSETH:**

1. Kirby is hereby retained as Prosecuting Attorney for the Village.
  2. Kirby will carry insurance with the following minimum limits:
    - a. Worker's Compensation coverage in accordance with statutory requirements.
    - b. Professional Liability Insurance with limits of not less than \$1 million annual aggregate.
    - c. Comprehensive general liability insurance with limits of not less than \$500,000 for each occurrence, and with property damage limits of not less than \$500,000 for each occurrence, and not less than \$1 million in the aggregate.
    - d. Automobile liability insurance with bodily injury of not less than \$100,000 for each person, and not less than \$300,000 for each accident and with property damages limits of not less than \$100,000 for each accident. He will also have a \$1 million umbrella policy for excessive coverage.
- Further, Kirby agrees to indemnify the Village and hold it harmless for any liabilities, injuries, harms and expenses arising out of the negligence of the Prosecutor. Said indemnification and hold harmless provision is limited to the amount of Kirby's Professional Liability Insurance coverage.
3. Kirby will not engage in any other legal services in the Village which create a conflict of interest with regard to his responsibilities to the Village. In other words, Kirby will not accept any cases in opposition to the Village nor handle any matters representing clients before any Board or Commission of the Village or before the Village Council.
  4. Kirby agrees to serve as Prosecuting Attorney for the Village. The Prosecutor shall have the right to select other qualified attorneys to perform the duties of the Prosecutor for the temporary periods of his absences.
  5. The Village agrees to compensate Kirby at the rate of \$125.00 per hour, payable monthly upon submission of an invoice. For said compensation, Kirby or his representative is to prosecute all matters in the Village's Mayor's Court, prosecute all matters properly transferred or

appealed to Warren County Court, and advise and counsel members or the Police Department regarding these prosecutions. The Prosecutors shall receive no benefits afforded to the Village employees.

The only expenses to reimburse would be actual out of pocket expenses incurred in the preparation of exhibits for cases and filing fees.

6. This contract is in full force and effect from the date of execution first written above. This contract is for a term certain until December 31, 2026, at which time the contract shall be renewed, renegotiated, or terminated. However, at the option of either party, the contract may be terminated upon 60 days' written notice of said intent to terminate in order to provide a smooth transition of duties.

VILLAGE OF WAYNESVILLE

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BY: \_\_\_\_\_  
Village Manager

CHASE KIRBY

BY: \_\_\_\_\_  
Chase Kirby

**ORDINANCE NO. 2024-042**

**AN ORDINANCE APPOINTING JEFFREY D. FORBES AND THE LAW FIRM OF  
WOOD & LAMPING LLP AS LAW DIRECTOR  
FOR THE VILLAGE OF WAYNESVILLE, OHIO,  
AND ESTABLISHING THE COMPENSATION**

**WHEREAS**, Article VI, Section 6.2 of the Waynesville Charter provides that the Law Director shall be appointed by Council upon such terms as authorized by Council; and

**WHEREAS**, attorney Jeffrey D. Forbes and the law firm of Wood & Lamping LLP have experience in the practice of municipal law; and

**WHEREAS**, Council has determined that Jeffrey D. Forbes and the law firm of Wood & Lamping LLP are qualified to serve as Law Director for the Village of Waynesville.

**NOW, THEREFORE, BE IT ORDAINED** by the Village Council of the Village of Waynesville, with at least five members elected thereto concurring:

**Section 1.** That Jeffrey D. Forbes and the law firm of Wood & Lamping LLP are hereby appointed Law Director of the Village of Waynesville.

**Section 2.** That the terms of compensation for the legal services of Law Director shall be set forth in Exhibit "A" attached hereto and incorporated as if fully set forth herein and shall be effective January 1, 2025.

**Section 3.** That the Village Manager is hereby authorized and directed to execute the agreement attached hereto as Exhibit "A."

**Section 4.** That is Ordinance shall be in effect from and after the earliest period allowed by law.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

**AGREEMENT ESTABLISHING COMPENSATION FOR LEGAL SERVICES OF  
LAW DIRECTOR AND WOOD & LAMPING LLP  
FOR THE PERIOD BEGINNING JANUARY 1, 202~~5~~3, THROUGH DECEMBER 31,  
202~~6~~4**

This Agreement is entered into by and between the Village of Waynesville, Ohio, 1400 Lytle Road, Waynesville, Ohio 45068, hereinafter called "Village", and Jeffrey D. Forbes and the law firm of Wood & Lamping LLP, 600 Vine St., Suite 2500, Cincinnati, Ohio 45202, hereinafter called "Law Director."

WITNESSETH:

**WHEREAS**, Jeffrey D. Forbes is by reason of training and experience capable of acting as the legal adviser, attorney, and counsel for the Village and for all offices, departments, divisions, bureaus, boards, commissions and bodies of the Village in connection with Village affairs; and

**WHEREAS**, pursuant to Section 6.02 of the Village Charter, the Village desires to appoint and retain Jeffrey D. Forbes and the law firm of Wood & Lamping LLP as the Law Director who shall serve at the pleasure of Council.

**NOW, THEREFORE**, pursuant to the above recitals, and for other good and valuable consideration, the parties agree as follows:

**A. RETAINER PAYMENTS**

1. Effective January 1, 202~~5~~3, an annual retainer payment in the amount of Twenty ~~Four-Six~~ Thousand Five Hundred Dollars (\$24,500~~26,000~~.00) shall be made to the law firm of Wood & Lamping LLP, payable on a monthly basis, upon presentation of a general invoice. The Retainer Payment shall be considered payment for services as described below:
  - a. Attendance, including travel time, at regular Council Meetings, including up to one (1) hour work sessions prior to any regular Council meeting at the request of the Mayor, any Council member, or the Village Manager.
  - b. Drafting and/or reviewing any ordinances and resolutions requested by the Mayor, Council members or Village Manager.

**B. ADDITIONAL LEGAL SERVICES**

1. Effective January 1, 202~~5~~3, an hourly rate of Two Hundred ~~Fifteen-Thirty~~ dollars (\$215~~230~~.00) will be paid on a monthly basis for the performance of additional legal services upon presentation of an invoice which provides sufficient detail as to the services rendered and the hours expended such that the Mayor, Council members, and the Village Manager may understand and evaluate those matters from time to time. Such Additional Legal Services include, but are not limited to, research assignments, drafting legal opinions, telephone calls related to Village business, and attending any special Council meetings or meetings of any Village Board or Commission, such as Planning Commission or Zoning Board of Appeals.

It is understood that the hourly rate for Additional Legal Services includes travel time and shall be billed in fifteen (15) minute increments.

2. Additional Legal Services shall also include any litigation and administrative appeals.
3. Jeffrey D. Forbes, as Law Director, shall be responsible for the performance of all additional legal services. While other legal professionals within the law firm of Wood & Lamping LLP may render performance of these duties, the Law Director shall retain ultimate and final responsibility for the rendering of these services. In any such matters so assigned, the Law Director shall retain ultimate responsibility and shall inform Council of the status of all legal services and matters on a periodic basis, as needed.

#### **C. ADDITIONAL PROVISIONS**

1. Reasonable reimbursement shall be made for expenses incurred during and in support of any legal services contemplated herein under. These shall include, but not be limited to, court costs, costs of litigation, mileage and such other pertinent expenses, costs and fees. However, no expenses for mileage shall be paid for travel to or from law offices of attorneys and the municipal building or other locations when the purpose of the travel is to attend any regularly scheduled Council meeting for which compensation is to be made under the Retainer Payment.
2. Jeffrey D. Forbes and the law firm of Wood & Lamping LLP shall not be responsible for prosecution in the Village of Waynesville Mayor's Court, nor for cases transferred or appealed to the Warren County Court.
3. Jeffrey D. Forbes and the law firm of Wood & Lamping LLP shall serve as independent contractors and shall not be entitled to any other benefits afforded to Village employees.
4. Council may at any time amend or modify the aforesaid terms for compensation for legal services, provided, however, that such amendments or modifications shall be mutually agreed to by the Law Director and shall not become effective sooner than thirty days subsequent to the adoption of such legislation.

*Signature page to follow.*

**VILLAGE OF WAYNESVILLE:**

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Village Manager

**LAW DIRECTOR:**

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Jeffrey D. Forbes

On behalf of Wood & Lamping LLP

4620774.1

4620774.1

**ORDINANCE NO. 2024-039**

**ADOPTING A SCHEDULE FOR WATER RATES AND STORM SEWER  
RATES FOR THE VILLAGE OF WAYNESVILLE FEE SCHEDULE**

WHEREAS, Section 50.121 of the Codified Ordinances of the Village of Waynesville states that water rates shall be as set forth in the Village's fee schedule as adopted by reference in section 36.05 of the Codified Ordinances; and

WHEREAS, it is now the intention of Village Council to provide notice of new water and storm sewer rates.

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

Section 1. That the water and storm sewer rates shall be as set forth in the Village's fee schedule, specifically as set forth in Exhibit A, attached hereto and incorporated herein by reference, effective as of the dates provided for in Exhibit A.

Section 2. That this fee schedule shall be available for public inspection in the office of the Village Clerk.

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

## **Exhibit A**

### **Monthly Rate Structure**

Water Inside the Village Limits \$4.31 per 1,000 Gallons effective 1/1/2025

Water Inside the Village Limits \$4.48 per 1,000 Gallons effective 1/1/2026

Water Inside the Village Limits \$4.66 per 1,000 Gallons effective 1/1/2027

Capital Surcharge - \$10.00

Water Improvement Loans - \$1.88

Water Outside the Village Limits \$5.28 per 1,000 Gallons effective 1/1/2025

Water Outside the Village Limits \$5.49 per 1,000 Gallons effective 1/1/2026

Water Outside the Village Limits \$5.71 per 1,000 Gallons effective 1/1/2027

Capital Surcharge - \$10.00

Water Improvement Loans - \$1.88

### **Bulk Water Rates**

Bulk Water Rates \$6.00 per 1,000 Gallons effective 1/1/2025

### **Storm Sewer Fee**

Storm Sewer Fee - \$4.00 monthly

**Village of Waynesville  
Public Works Meeting  
November 4<sup>th</sup>, 2024, 6:00 pm**

- Committee members present
  - Mr. Blankenship
  - Mr. Anthony
  - Mr. Gallagher
- Staff and guests present
  - Chief Copeland
  - Jamie Morely
  - Mayor Issacs
  - Chris Colvin
  - Connie Miller
  - Chris Palser

**DRAFT**

The meeting was called to order at 6:04 pm.

Mr. Anthony motioned to approve the previous meeting minutes; Mr. Blankenship seconded. The motion carried.

Chief Copeland presented the committee with details pertaining to DORA signage and receptacle placement.

The Village maintenance barn has been painted. The two barns match in color, and this preventative maintenance will increase the building's longevity.

Public Works crews stocked up on stone, crushed gravel, and sand inventory.

Approximately 150 tons of road salt on hand, with 100 tons on standby.

The EPA took samples on well #10

Public Works crews repaired a large pothole on S. Main Street, as well as several minor potholes on Fourth Street.

Fed Excavating has completed the final catch basin on Lytle Rd.

The Water Department has attached additional cameras and motion sensor lights to the Water Distribution Station.

The Hitachi motor for Well #6 stopped working from iron buildup. A new SME 40hp submersible motor was replaced for \$7,400.00

Chief Copeland has been working with Warren County Soil and Water Director, Molly Conley, and researching the work on the Hoffman properties at SR 42/SR73, and SR 42/Corwin Ave.

Leaf collection is going smoothly, and crews are on schedule. Catch basins have been checked and cleaned out with the hydro-vac.

Plow trucks are ready for winter weather.

Meeting adjourned at 6:37 pm.