

**Village of Waynesville
Council Meeting Minutes
April 3, 2023 at 7:00 pm**

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

Absent: Mr. Brian Blankenship
Mr. Troy Lauffer

Village Staff Present: Jeff Forbes, Law Director; 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, April 3, 2023.*

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

Roll Call – 5 present

Mr. Gallagher made a motion to excuse Mr. Blankenship and Mr. Lauffer from tonight's Council meeting and Mr. Colvin seconded the motion.

Motion – Gallagher
Second – Colvin

Roll Call – 5 yeas

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Mayor Acknowledgements

Would like to acknowledge the great job done by all the Council members. They are getting projects done and making the Village a better place to live.

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Disposition of Previous Minutes

Mr. Colvin made a motion to approve the minutes as written for the Council meeting on March 20, 2023, and Ms. Dedden seconded the motion.

Motion – Colvin
Second – Dedden

Roll Call – 5 yeas

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Public Recognition/Visitor’s Comments

Sam Ison, 4588 Burnham Woods Dr, introduced himself to Council as the Superintendent of Wayne Local Schools. He thanked Council for the opportunity to speak with them and he appreciates the wonderful working relationship the school has with Chief Copeland and the Waynesville Police Officers. He stated this was his first year as the Superintendent recently coming out of retirement after four years as principal of Wayne Local High School. Mr. Ison stated the reason for being here was to request the reduction of the withholding income tax penalties from 50% to 15% for the months of July 2022 to December 2022. He stated that Council had previously and graciously granted this abatement for the penalties for the months of December 2021 through June 2022. He assured Council that the school has done its due diligence to ensure that nothing like this would happen again. Two individuals have been hired for the Payroll and Accounts Payable Departments instead of one and there are more checks and balances in place. Mr. Ison asked if it would be possible to have a resolution drafted to grant the lowering of the penalty from 50% to 15% for the next meeting in April. He added that the school has paid the penalties but is hoping to have them lowered and receive money back.

Mr. Colvin asked Mr. Ison if this would be the last request for an abatement. Mr. Ison stated that it would be. The school has worked hard to ensure nothing like this will happen again. Mr. Colvin stated it was hard for him to vote to give the abatement the first time because he felt it was unfair to other taxpayers that are obligated to pay penalties. He added that he is not inclined to vote to pass another resolution for an additional abatement, but he is just one member of Council. Mr. Ison stated that he was not sure why the other four months were not included in the first resolution. Mr. Colvin stated the original request was for the period that was approved, and he made sure the dates were included in the resolution. Mr. Colvin added that he understands why Mr. Ison is making the request but he personally does not think he would vote to pass a second resolution for the reduction of penalties, especially since this is coming after the fact and some of the payments were up to seven months late.

Mrs. Miller stated she also was not inclined to vote to pass a second resolution. She said she feels this would not be fair to other taxpayers who may ask for a similar break on penalties and not receive one. She feels it would set a dangerous precedent.

Ms. Dedden stated that she also does not think it is fair to the taxpayers to give another abatement. She feels as a representative of the residents, she does not think they would want a second abatement granted. She further added that the resolution said a one-time abatement and she meant that- It was only for one time.

Mr. Gallagher asked for clarification. He asked Mr. Forbes if the language of the resolution saying “one-time” means that an abatement can only be given once or if it just refers to that specific abatement. Mr. Gallagher further added that when the previous treasurer of Wayne

Local Schools made the request, he asked for an abatement for the penalties he was aware of. He did not realize there would be more penalties.

Mr. Forbes stated that the language “one-time” did not mean an abatement could only be given once. Council has the prerogative to consider another abatement. He also added that Council knew that the penalties extended beyond the dates on the resolution, however, Council decided to only consider the times that were originally asked for. Mr. Forbes stated that the resolution had to contain certain times and could not be open-ended.

Ms. Dedden said that anyone on Council can ask to have legislation drawn up by the law director and be placed on the agenda to be considered by Council. Mr. Forbes said procedurally that is true. Any member of Council can ask him to prepare legislation. But there will not be legislation to consider tonight as no request was made prior to the meeting.

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Old Business

Ms. Dedden reminded Council there will be a Special Council meeting on April 17, 2023 at 5:30 p.m. to review the Charter. She asked that Council look over the Charter before this meeting.

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Reports

Finance

The Finance Committee will meet Thursday, April 20, 2023, at 5:00 p.m. and the public is invited. Ordinance 2023-015 is on tonight’s agenda to approve health care for Village employees. Ms. Dedden suggested having two readings and adopting the ordinance at the next meeting as an emergency.

Public Works Report

Public Works will meet on May 1, 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 will meet on May 15, 2023 at 6 p.m. to have further discussions on a possible new park at the old Michener property.

Village Manager Report

- ODOT has accepted the bid proposal from EHMT for the traffic light at the corner of Route 42 and North Street.

- The Street Department trimmed back the overgrowth of brush on High Street after receiving complaints.
- Provided photos of the updated progress on the GIS project to map the water system.
- The Water Department recently tested the Village's drinking water for VOCs and the results from ETR Labs said the Village's water was free of any traces of vinyl chloride. The Water Department also conducted a test through the EPA to test for lithium and PFAS. Those results will be received midyear.
- Shawn from Nimbus3 Cybersecurity met with staff and the Village's IT guy to review all the programs and hardware of the Village. He will submit a report with recommendations on where the Village can improve security.
- The Street Department collected scrap metal and received a check for \$250.
- PY37 grants for Franklin Phase I (Old Stage to Route 42) and Third Street will hopefully be put out for bid soon. PY38 is Franklin Phase II from Old Stage to Dayton. There will need to be a Phase III for Franklin Road but would like to replace the water lines on Fourth, Fifth, and Sixth Streets first because of the possibility of lead lines.
- Met with Steve Johnson from Harvest Baptist Church about getting an easement to cross the property for the water line from Well 10 to the pumping station. He has met with the church board, and they have agreed to grant the easement. The next step is to get the easement surveyed.
- April 29 is the Recycle Rally.
- There is an ordinance on tonight's agenda to install a road from the back of the parking lot at Bowman Park to Well 10. This is necessary because the area continually floods making it difficult for heavy equipment to access Well 10. The lowest bid was from Fed Excavating.

Police Report

- Just handed out March Calls for Service and Mayor's Court Month End because the month ended this weekend. The code enforcement report was also provided for review.
- I will be attending the Chiefs' Conference in Columbus from April 23-25.
- Mike Dewine signed distracted driving into law, and this went into effect today. There will be a six-month warning period.
- I will be on vacation from April 10-15 and am asking to be excused from the next Council meeting and appoint Lt. Bledsoe as Acting Manager.

Mr. Colvin asked Chief Copeland to thank Sgt. Denlinger for cleaning up the code enforcement report; it is easier to read.

Mr. Gallagher asked how the current road going to Wells 6,7 and 8 has held up. Chief Copeland stated there are no issues. He also said that the new road will have areas where mesh fabric will be put down in soggy areas.

Mr. Colvin asked if the cybersecurity expert had looked at Ms. Crockett's UAN laptop. Chief Copeland stated he was briefed on all software the Village uses including UAN.

Financial Director Report

None

Law Report

None

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New Business

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Legislation

First Reading of Ordinances and Resolutions

Ordinance No. 2023-014

Authorizing the Village Manager to Enter into a Contract with Choice One Engineering for Professional Services Related to the Franklin Street Water Main and Street Improvements Project, Phase 2

Chief Copeland stated that the Village receives extra points for having the engineering plans 80% completed before applying for the grant.

Mr. Colvin asked if the Township had agreed to be part of a cooperative agreement with the Village on this project. Chief Copeland stated he has not yet asked the Township and will soon be putting together a letter for this purpose.

Mr. Gallagher made a motion to have the first reading for Ordinance 2023-014 and Mrs. Miller seconded the motion.

Motion – Gallagher
Second – Miller

Roll Call – 5 yeas

Ordinance No. 2023-015

Authorizing a Health Insurance Plan for Village Employees and Declaring an Emergency

Mr. Colvin made a motion to have the first reading for Ordinance 2023-015 and Mr. Gallagher seconded the motion.

Motion – Colvin
Second – Gallagher

Roll Call – 5 yeas

Ordinance No. 2023-016

Authorizing the Village Manager to Enter into a Contract with Fed Excavating, Inc. in an Amount Not to Exceed \$65,000 for Material and Labor Related to the Construction of a Road to Well #10 and Declaring an Emergency

Chief Copeland stated the bid was for 59K, but padded the number because the quote did not include the mesh fabric for extra wet areas.

Mr. Gallagher made a motion to waive the two-reading rule for Ordinance 2023-016 and Ms. Dedden seconded the motion.

Motion – Gallagher
Second – Dedden

Roll Call – 5 yeas

Ms. Dedden made a motion to adopt Ordinance 2023-016 as an emergency and Mr. Gallagher seconded the motion.

Motion – Dedden
Second – Gallagher

Roll Call – 5 yeas

Second Reading of Ordinances and Resolutions

None

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Tabled Ordinances and Resolutions

None

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Executive Session

None

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Mrs. Miller made a motion to adjourn at 7:45 and Mr. Colvin seconded the motion.

Motion – Miller

Second – Colvin

Roll Call – 5 yeas.

Date: _____

Jamie Morley, Clerk of Council