

**Village of Waynesville
Council Meeting Minutes
August 16, 2021 at 7:00 pm**

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

Village Staff Present: Jeff Forbes, Law Director; 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, August 16, 2021.

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

Roll Call – 7 present

Mayor Acknowledgements

Glad to see everyone and happy all of Council is present.

Disposition of Previous Minutes

Ms. Dedden made a motion to approve the minutes for the Council meeting on August 2, 2021 as written and Mr. Blankenship seconded the motion.

Motion – Dedden
Second – Blankenship

Roll Call – 7 years

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Public Recognition/Visitor's Comments

Tom Duerr of 5249 Lytle Road wanted to inform Council the other day he was going down Franklin Road and hit a crack and twisted a tire on his motorcycle. He went back and could not find the crack. He stated Franklin is in bad shape and in need of repaving.

Furthermore, Mr. Duerr asked if bicyclists were required by law to stop at stop signs. Mr. Forbes responded that bicyclists are required to follow all laws of the roadway if they are public streets just as all vehicles.

Mr. Duerr also asked if there were ordinances in place to prohibit election signs to be put up before a certain date before the election. Mr. Forbes responded that the courts have ruled that political signs are protected under the First Amendment and time limits violate these rights.

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Old Business

None

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Reports

Finance

The Finance Committee will meet on Thursday August 19, 2021 at 5:00 p.m. in the small conference room at the Government Center. The public is encouraged to attend. Council will have a special meeting directly following the Finance Meeting and is expected to go into executive session to consider the compensation of public employees.

Public Works Report

Public Works will meet on Tuesday, September 7th at 6:00 p.m. The public is encouraged to attend.

Special Committee Report

None

Village Manager Report

- Asking Council to consider passing the purchase of the John Deere 100 Horsepower, diesel leaf vac as an emergency. This will ensure that the Village does not lose the chance to purchase this machine. There is also an ordinance to surplus the old leaf vac to allow the Village to sell it on Govdeals.
- The Street Department has been repainting the yellow curbs around the Village.
- Met with several paving companies to get quotes for repaving Adamsmoor and Mill Street. Trying to get this done this year, however most of the paving companies are booked out for the rest of the year.

- Ordinance on tonight's agenda to cement the cold barn floor. This is an emergency to have it done before winter.
- Renewed GIS software.
- Provided a copy of Choice One's traffic study of North Street and Route 42. The report does not look good to get funding for a traffic light from ODOT. Plan to meet with Representative Lipps and ODOT and see what the options are for the Village.
- Supplied photos of the new elementary school. It is looking good. There was a water break on school property. The crew working for the school hit a lateral. It was their responsibility and they fixed it.
- Had several complaints of cloudy water on or around Joycie Lane. Work order is in place to have staff flush hydrants around that area and will continue to investigate the situation.
- The Village has received the first installment of 166K from the American Rescue Plan. Will receive the second installment next year.
- Applied for a grant from House Bill 168 for the Third Street project to repave the street and replace water and storm lines. Franklin will be the next project.
- Ordinance on tonight's agenda to have Fed Excavating redo the storm water drain behind Pat's Gas. The plan is to clear out trees and overgrowth, build up a dike for the storm water to follow, and replace the current basin with a larger one.
- Ordinance tonight to allow the Village to be involved in the State settlement with the opiate company Pharma.
- Had the Street Department install a Veteran's parking spot at the government center.
- Met with Mayor Isaacs and representatives of the Purple Heart Association for the Village to become a Purple Heart Village. On September 13 the Village will have an honor guard present and present a proclamation to become a Purple Heart Village.
- Third Annual Warren County Veterans' Picnic will be held on September 11 at the Warren County Fairgrounds. There will be free food, Richard Lynch Band, and games.

Police Report

- July's calls for service and Mayor's Court reports have been provided.
- Bowersox family presented drinks and snacks for the officers in honor of Back the Blue Day. A thank you letter has been sent to them.
- Officer Mermann has been certified in taser training. Have scheduled the officers for taser training and range qualifying on

September 18. Will provide the officers with lunch and drinks on this day thanks to the generosity of community members.

- Also included quotes for new garage doors for the cold barn. One includes insulated doors and the other is for uninsulated doors.

Mr. Gallagher asked about the new owners of Hometown Market. Chief Copeland responded that the new owners purchased the business and property as of today. Previous owners of Hometown Market were only leasing the property. The new owners also bought surrounding property and has voiced plans to clean up the area. The manager and staff will mostly remain the same. Mr. Blankenship added that the new owners plan to continue the roundup program and donations to the food pantry.

Mr. Colvin asked what the level of commitment and expectations are for the Village to become a Purple Heart Community. Chief Copeland responded that there is little to no commitment. The Association asked the Village to put up signs at the Village limits but other than that, there is very little commitment.

Ms. Dedden made a motion for the Village of Waynesville to become a Purple Heart Village and Mr. Gallagher seconded the motion.

Motion – Dedden

Second – Gallagher

Roll Call – 7 yeas

Financial Director Report

None

Law Report

None

New Business

Legislation

First Reading of Ordinances and Resolutions

Resolution No. 2021-034

A Resolution to Accept the Material Terms of the One Ohio Subdivision Settlement Pursuant to the One Ohio Memorandum of Understanding and Consistent with the Terms of the July 21, 2021 National Opioid Settlement Agreement and Declaring an Emergency

Ms. Dedden made a motion to waive the two-reading of Resolution 2021-034 and was seconded by Mrs. Miller.

Motion – Dedden

Second – Miller

Roll Call – 7 yeas

At this time, Mr. Forbes explained there is currently litigation across the country against pharmaceutical companies in relation to their production and distribution of opioids as this relates to the opioid crisis. The State of Ohio has been very active in the settlement and is asking all the local jurisdictions to accept the terms. It will require 95% of the local jurisdictions to enter the memorandum of understanding for Ohio to get the settlement. The state of Ohio is slated to receive \$800 million over 18 years with a formula on how the money is to be distributed. There are restrictions how the funds are to be spent such as for drug education and interdiction. Mr. Forbes stated the Village does not have to participate. However, it was agreed that the Village is not big enough or have the funds for an individual lawsuit. Mr. Forbes summarized that there is no expense at the local level and by signing the memorandum of agreement the Village is agreeing to the terms and forfeiting the right to go after Pharma individually.

Mr. Colvin made a motion to adopt Resolution 2021-034 and was seconded by Mr. Gallagher.

Motion – Colvin

Second – Gallagher

Roll Call – 7 yeas

Ordinance 2021-035

Authorizing the Village Manager to Enter into a Memorandum of Agreement for Deposit of Public Funds and Establishing LCNB National Bank as a Depository for Active and Interim/Inactive Funds

Mr. Colvin asked how LCNB has performed and if staff has had any issues. Ms. Morley responded that LCNB has been quick to answer questions and resolve any issues. The local branch in town serves as the point of contact for Village business. Mr. Colvin asked if by signing this 5-year agreement, is the Village locked into only using LCNB. Mr. Forbes stated the Village can have several banks as depositories and always set up a second bank to handle Village funds.

Ms. Dedden made a motion to amend Ordinance 2021-035 to add emergency clause and declare an emergency. The motion was seconded by Mrs. Miller.

Motion – Dedden

Second – Miller

Roll Call – 7 yeas

Ms. Dedden made a motion to waive the two-reading for Ordinance 2021-035 and was seconded by Mr. Colvin.

Motion – Dedden

Second – Colvin

Roll Call – 7 yeas

Mr. Gallagher made a motion to adopt Ordinance 2021-035 and was seconded by Mr. Blankenship.

Motion – Gallagher
Second – Blankenship

Roll Call – 7 yeas

Ordinance No. 2021-036

An Ordinance Authorizing the Disposal of Obsolete, Unneeded and Unfit for Public Use Personal Property Pursuant to R.C. 721.15

Mr. Blankenship made a motion to have the first reading of Ordinance 2021-036 and was seconded by Mr. Gallagher.

Motion – Blankenship
Second – Gallagher

Roll Call – 7 yeas

Ordinance No. 2021-037

Authorizing the Village Manager to Enter into a Contract with Fed Excavating, Inc. in an Amount Not to Exceed \$17,945 for Storm Drain Repair at the Corner of North Main and Franklin and Declaring an Emergency

Mrs. Miller made a motion to waive the two-reading for Ordinance 2021-037 and was seconded by Mr. Gallagher.

Motion – Miller
Second – Gallagher

Mr. Colvin asked if this would fix the problem, and not just be a band-aid. He wants to ensure the Village does not pay for a project twice. Chief Copeland responded that it would help prepare for when the Franklin Street project is done in 2023, which will install new storm lines and drains, water lines, and repave Franklin. This ordinance is to build up a dike behind the church and clear out debris and brush that often clogs the storm drain. A larger drain with a retention area will also be installed. Ultimately the two projects will dovetail together.

Ms. Dedden added that the storm sewer fund, 5901, has 259K with 95K appropriated for the 2021 year. Currently only 25K has been used, the funding is there to pay for the project.

Roll Call – 7 yeas

Mr. Blankenship made a motion to adopt Ordinance 2021-037 and was seconded by Mr. Gallagher.

Motion – Blankenship
Second – Gallagher

Roll Call – 7 yeas

Ordinance No. 2021-038

Authorizing the Village Manager to Enter into a Contract with T And T Concrete in an Amount Not to Exceed \$23,500 for Concrete Floor Labor and Materials for the Village Maintenance Building and Declaring an Emergency

Mr. Gallagher made a motion to waive the two-reading for Ordinance 2021-038 and was seconded by Mrs. Miller.

Motion – Gallagher
Second – Miller

Roll Call – 7 yeas

Mr. Gallagher made a motion to adopt Ordinance 2021-038 and was seconded by Mr. Lauffer.

Motion – Gallagher
Second – Lauffer

Roll Call – 7 yeas

Second Reading of Ordinances and Resolutions

Ordinance 2021-032

Authorizing the Village Manager to Enter into a Contact with Western Ohio Sales, Best Equipment Company, Inc. in an Amount not to Exceed \$40,000 for the Purchase of a Refurbished John Deere Diesel 100 HP Leaf Vacuum

Ms. Dedden made a motion to amend Ordinance 2021-032 to add emergency clause and declare an emergency. The motion was seconded by Mrs. Miller.

Motion – Dedden
Second – Miller

Roll Call – 7 yeas

Mr. Gallagher made a motion to adopt Ordinance 2021-032 as an emergency and was seconded by Mr. Colvin.

Motion – Gallagher
Second – Colvin

Roll Call – 7 yeas

Tabled Ordinances and Resolutions

None

Executive Session

None

Mr. Colvin asked if the Sauerkraut Festival was still planned as usual. Chief Copeland stated that as far as he knows everything is planned as always and the Village staff is ready. At this time, there was a discussion about the rights of petitioners. It was stated it is their right to petition in public streets as long as they do not harass or are offensive.

Mayor Isaacs wanted to say his first cousins, the Isaacs, are now members of the Grand Olde Opry and wanted to congratulate them.

Mr. Gallagher made a motion to adjourn, and all were in favor to adjourn at 8:14 pm.

Date: _____

Jamie Morley, Clerk of Council