

Village of Waynesville Council Meeting Minutes January 22nd, 2008 – 7:30p

Present: Mayor Earl Isaacs
Ms. Sandra Stemple, Council President
Mr. Rick Becker
Mr. James Martin
Mr. Richard Philpott
Mr. Ernie Tracy

Absent: none

Village Staff Present: Michael Foley (Law Director), Bruce Snell (Village Manager), Staci Morris (Finance Director), Gary Copeland (Chief of Police)

NOTE – This is a summary of the Village Council Meeting held on Tuesday, January 22, 2008. A DVD recording of the meeting is on file in the office of the Clerk of Council and is available for review.

Mayor Isaacs called the meeting to order at 7:33p.

Michael Foley swore in Jim Martin.

Mr. Martin led the Pledge of Allegiance.

Roll Call - 6 present

*Motion to approve minutes of last meeting (01/08/2008) – Ms. Stemple
Second – Mr. Tracy*

Roll Call - 6 yeas

Mayor Isaacs read the members appointed to boards and commissions.

*Motion to approve boards and commissions as read – Mayor Isaacs
Second – Mr. Tracy*

Roll Call – 6 yeas

Council discussed changing the meeting times for Finance Committee and the Public Works Committee to the time before each Council meeting.

Motion to change meeting times – Mr. Tracy
Second – Ms. Stemple

Roll Call – 6 yeas

Note:

- *Finance Committee will meet on the first Monday of each month at 6:00p*
- *Public Works Committee will meet on the third Monday of each month at 6:00p*

Public Recognition/Visitor's Comments

None

Old Business

None

Reports

(1) Standing Council Committees

- (a) Finance Committee – legislation to be discussed later
- (b) Public Works Committee – nothing to report
- (c) Special Committees – none

(2) Village Manager's Report – Mr. Snell discussed the following:

- Edwards Road water main break – Angie Tipton came in several days over her vacation without being asked, and Mr. Snell thanked her.
- Recent snowfall – the breakdown in communication has been addressed. The full-time officer on duty is to call the Streets department employee into work to plow and salt the roads, as the Village is not going to rely on the County anymore.

(3) Finance Director's Report – Ms. Morris stated that she expected to have year-end account balances soon.

(4) Police Chief's Report – Chief Copeland gave his year-end report to Council.

(5) Law Director's Report – Mr. Foley asked for an Executive Session at the end of the meeting to discuss pending litigation.

Mr. Snell asked the Mayor to move up reading of Ordinance 2008-007 to the beginning to accommodate the public wishing to speak on the matter.

New Business

Mayor Isaacs swore in Eric Said as a new Reserve Police Officer.

Legislation

*Motion to have the first reading of Ordinance 2008-007 – Mr. Philpott
Second – Mr. Tracy*

- Terry Houston (Terry’s Water Service, 6310 Smith Road) asked Council to give a reason for the increase. He asked Council to reconsider the matter due to his many customers on a fixed income.
- Ms. Stemple stated that many are on a fixed income in Waynesville, as well as in Wayne Township.
- Mr. Tracy stated that the infrastructure will need replaced and repaired, and the Village must bring in the revenue to support those repairs.
- Mr. Philpott stated that the cost of doing business has increased, so the price must increase accordingly.

- Rob Lewis (3752 Pioneer Village Road) stated that he is already paying a lot of money for the water he needs.
- Mr. Philpott asked him if he knew his property did not have water when he purchased it.
- Mr. Lewis stated that he did know the property did not have water at the time of purchase.

Ed Johnson (3885 O’Neill Road) offered the opinion that his customers are in fact paying more than Village residents because his customers must maintain their own system as well as pay for the water.

Roll Call – 5 yeas (Mr. Tracy, Mr. Becker, Ms. Stemple, Mr. Martin, Mr. Philpott)
1 nay (Mayor Isaacs)

*Motion to have the first reading of Ordinance 2008-003 – Mr. Tracy
Second – Ms. Stemple*

- Mr. Becker asked the amount that is going to be charged by the CRC.
- Mr. Foley stated that he did not have a breakdown on cost from the CRC, but that the Police Department will come up with the amount to charge (usually around \$120.00). Mr. Foley added that the department would come up with a schedule and submit it to Council for their approval.

- Pete Stemple (273 North Third Street) asked if it would be up to the individual to pay if insurance did not pay.
- Mr. Foley stated that this legislation would allow for “soft billing” with no follow-through to the individuals, only the insurance company.

Roll Call – 6 yeas

*Motion to waive the two reading rule for Ordinance 2008-004 – Ms. Stemple
Second – Mr. Tracy*

Roll Call – 6 yeas

*Motion to adopt Ordinance 2008-007 as an emergency – Mr. Tracy
Second – Ms. Stemple*

- Mr. Snell explained the reason that the legislation was an emergency was to ensure that the Village received the percentage of gross revenues for all of 2008. He also gave a history of the receipt of gross revenues (previously 3%) and the change from franchise fees to VSP (video service provider) fees.
- Mr. Foley explained that the percentage received by the Village of Waynesville would not have an effect on the customers using the service due to the fact that Time Warner has set rates for a region. Ms. Morris reiterated the statement.

Roll Call – 6 yeas

*Motion to waive the two reading rule for Ordinance 2008-005 – Ms. Stemple
Second – Mr. Philpott*

- Mr. Snell explained that the amendments to the tap fees will allow the Village to mirror the fees charged by Warren County.
- John Federle (5615 Lytle Road) asked Council to consider whether emergency legislation was necessary because a person is required to obtain a building permit before purchasing the tap fees, thus limiting the wholesaling of tap fees.
- Ken Harris (194 West Ellis Drive) asked Council why they would let any money slip away.
- Mr. Foley stated that there is not going to be a time to raise fees when it is not going to impact someone.
- Mr. Becker felt that the public needed notification that the fees are increasing. He also stated that he is not one to give away Village money.
- Ed Leach (152 Fifth Street) stated that is people have questions, then they don't have the forum to ask them. He said that Council needed to give the public a chance to come up with an alternate plan.

- Mr. Tracy stated that he did not feel that the ordinance was necessary for the health, preservation, and safety as stated in Section 4.
- Ms. Stemple read Section 4 aloud.
- Mr. Tracy avowed that he did agree at the Finance Committee meeting to have the legislation as an emergency, but that he has since changed his mind.
- Mr. Snell reiterated that he did not have a history of "railroading" items through Council.

Roll Call – 4 yeas (Mayor Isaacs, Ms. Stemple, Mr. Martin, Mr. Philpott)
2 nays (Mr. Tracy, Mr. Becker)

*Motion to have the first reading of Ordinance 2008-005 – Mr. Tracy
Second – Mr. Martin*

Roll Call – 6 yeas

Mr. Snell asked Council to lay to rest Resolution 2008-006.
- Council did not read Resolution 2008-006

Ms. Morris reminded Council that at the last meeting the end of Section 1 was something they were interested in removing.
- Council asked Ms. Morris to remove the words “to cover the expense of the increase mandated by the Ohio Legislature.”

*Motion to adopt Ordinance 2008-001 as amended – Ms. Stemple
Second – Mr. Tracy*

Roll Call – 6 yeas

*Motion to have the second reading and adopt Resolution 2008-002 – Mr. Tracy
Second – Mr. Martin*

- Mr. Federle stated that the agreement was requested by the Warren County engineer as a housekeeping measure. He had already been granted an extension to February 5.
- Mr. Foley stated that the legislation is a total housekeeping measure with no adverse effect on the Village or any resident. He said that Warren County would continue to maintain the road whether Council permitted Bruce to sign or not.

Roll Call – 6 yeas

Other Business

Mr. Tracy brought up the discussion of appointing a new Council member. He said that the position does not have to be advertised because no one ran for the seat.

*Motion to enter into Executive Session with Mr. Foley and Mr. Snell at 9:20p to discuss litigation – Mr. Tracy
Second – Mr. Martin*

Roll Call – 6 yeas

Roll Call after returning at 9:48p – 6 present

- Mr. Snell reminded Council of the need to handle the items submitted for the Law Director RFQ (Request for Qualifications).
- Council decided to form a committee (Mr. Tracy, Mr. Martin, Mr. Philpott) to interview the candidates who applied.
- Ms. Morris was asked to call the individuals and set up interviews on Tuesday, January 29th and Wednesday, January 30th at 5:00p and 6:30p.

- Mr. Foley reminded Council that they have a set period of time to nominate a new Council member or the Mayor must appoint someone.

Motion to waive the 14-day interview period for appointing a new council member

– Mr. Tracy

Second – Ms. Stemple

Roll Call – 6 yeas

Motion to adjourn meeting at 9:58p – Mr. Tracy

Second – Mr. Martin

Roll Call - 6 yeas

Date: _____

Mayor Earl Isaacs

Staci Morris, Finance Director/Clerk