

# Village of Waynesville Council Meeting Minutes August 18<sup>th</sup>, 2008 – 7:30p

Present: Mayor Earl Isaacs  
Ms. Sandra Stemple, President Pro Tem  
Mr. Rick Becker  
Mr. Chuck Feicht  
Mr. James Martin  
Mr. Richard Philpott  
Mr. Ernie Tracy (arrived at 9:30p)

Absent: none

Village Staff Present: Jeff Forbes (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 Monday, August 18<sup>th</sup>, 2008. A video recording of the meeting is on file in the office of the Clerk of Council and is available for review.*

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Mayor Isaacs called the meeting to order at 7:32p.  
Roll Call – 6 present (Mr. Tracy arrived late)

Mr. Philpott led the Pledge of Allegiance.

## **Disposition of Previous Minutes**

*Motion to approve minutes of previous meeting – Ms. Stemple  
Second – Mr. Philpott*

## **Public Recognition/Visitor's Comments**

Marty Heidi (Congressman Turner's Representative) presented to Chief Copeland and his wife Stacey with the American flag that was flown over the Capital for Gavin Scott Copeland on the day of his birth (July 23, 2008).

Gary Pelkey (830 Camp Creek Drive) asked Mayor Isaacs if the April 23<sup>rd</sup> meeting was posted in advance. Ms. Morris stated that it was. Mr. Pelkey asked for a copy of the posting, and Ms. Morris stated that she would provide that to him.

- Mr. Pelkey asked Mayor Isaacs if the meeting was taped. Mayor Isaacs stated that he thought it might be, and Mr. Snell stated that he knew of no such tape.

- Mr. Pelkey asked if Mr. Philpott was going to resign. Mr. Philpott stated that his plea hearing is October 24<sup>th</sup>, and he will resign if guilty of a felony.

Ray Otto (11 Fourth Street) asked Council to focus on updating the website. He suggested making "open books" available on the website.

Virgil Wilkerson (4636 Wilkerson Road) asked Chief Copeland how many field trained officers Waynesville has, were auxiliary officers permitted to carry a weapon, number of officers trained for the road, and whether officers were allowed to volunteer their time, specifically citing several officers.

-Chief Copeland responded the officer in question is field trained but not a training officer, auxiliary officers are not permitted to carry weapons, however the second officer in question was carrying a taser and is taser certified, all officers are trained for the road, and full-time officers are allowed to volunteer their time.

John Murray (398 Miami Street) asked questions regarding the debt on the government center and the amount of principal paid. He expressed disappointment over getting answers to his question over the past few weeks.

Warren Sheehan (469 North Street) stated the following:

- it was hard to get something positive out of something negative, but that the election was close in regards to the amount of negative publicity
- suggested attaching information to the water bills
- information should be given on how the Village got into financial troubles
- letter from Tom Isaacs
- a 1.0 mill decrease in taxes from the county due to a reduction in MRDD
- the Village should show how the money will be spent

### **Old Business**

none

### **Reports**

#### **(1) Standing Council Committees**

(a) Finance Committee – nothing to report

(b) Public Works Committee – met at 6:00p. Mr. Feicht stated that the street repaving project would be minimal and that the 1 mill Street Levy would be used to maintain infrastructure.

(c) Special Committees – Mayor Isaacs stated that rumors had been swirling regarding the possibility of moving the gazebo from Veteran's Park. Mayor Isaacs stated that Mr. Feicht was going to pressure wash the gazebo, and he was going to help.

- Mr. Snell stated that he mentioned the idea in several of his Manager's Reports and asked Council to give their opinion.

- Mayor Isaacs stated that more names were going to go on the plaque and the weeds would be cleared out.

- Mr. Feicht had no objections as long as the park is maintained. He would like to get volunteers to keep the park clean.

- Chief Copeland stated that a group was using the park for drug use as it is a secluded area.

- Mr. Becker asked about the possibility of moving the gazebo closer to the road. Mayor Isaacs was opposed to moving it.

- Mr. Philpott stated that the park needs to be maintained, and Mayor

Isaacs stated that he would get volunteers to keep up the park at the Legion.

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

- a newsletter included with the water bill was a great idea, but that the USPS would not allow. He is looking into an electronic newsletter.

- watching the official ballot count at the Board of Elections

Police Levy – 273 for, 283 against

Street Levy – 277 for, 278 against

An automatic recount would be performed on August 28<sup>th</sup> at 9:00a.

- a future meeting with Warren County Water and Sewer to discuss the water agreement that expires at year end.

Gary Pelkey (830 Camp Creek Drive) suggested using the Western Star as a free publisher of reports from the Village. Mr. Snell stated that he regularly communicates with Ms. McAllister at the Dayton Daily News, but they publish what they choose.

(3) Finance Director's Report – Ms. Morris stated that the repaving project would be paid out of the Street Levy fund, not the Street Maintenance and Repair fund which is in the red. Ms. Morris stated that she is in town through the weekend, and will return in about two weeks.

(4) Police Chief's Report – Chief Copeland did not have anything to report.

(5) Law Director's Report – Mr. Forbes requested an Executive Session to discuss litigation with outside legal counsel Larry Barbieri.

Motion to adjourn to Executive Session to discuss litigation and personnel with legal counsel present at 8:28p – Mr. Feicht

Second – Ms. Stemple

Roll Call – 6 yeas

Return from Executive Session at 9:25p.

Roll call – 6 present

### **New Business**

none

### **Legislation**

Mr. Forbes explained the legislation before Council and offered a recommendation on how Council should handle the legislation they were not interested in passing (act on all legislation with a vote of yes or no).

Mr. Tracy arrived at 9:30p.

Ms. Morris stated that the legislation was not numbered correctly. She changed the numbering to have the request for certification before the legislation to submit the

levy to the electors. (#26 became #27, #27 became #26, #29 became #28, #28 became #29, #30 remained the same, #32 became #31, #31 became #32)

- Mr. Martin expressed support of the police department. He stated that an officer had already been let go due to the failure of the August levy. Mr. Martin stated that to show his support of the 7 mill Police Levy, he was donating \$50 to the levy support fund.

- Ms. Stemple stated that she would also make a \$50 donation to the levy support fund. She thanked Warren Sheehan, Ron Kronenberger, Tom Isaacs and Lonnie Schear for serving on the Levy Committee.

*Motion to have Council serve on the Levy Committee Board, with the Mayor serving as chairman – Ms. Stemple*

*Second – Mr. Philpott*

- Mayor Isaacs stated that he thought it was a set-up to make him the chair of the committee.

- Mr. Tracy agreed with Council in their support of the Police department and offered a donation of \$50.

- Mr. Becker thanked Tom Isaacs and stated his intentions to give a check at LCNB.  
Roll Call – 7 yeas

*Motion to disband the Police department 12/31/2008 if the levy does not pass to be able to pay off debt – Ms. Stemple*

*Second – Mr. Philpott*

- Mr. Forbes stated that Council would only be as bound by their vote as they chose to be. They could rescind the vote at a future meeting.

- Mayor Isaacs stated that he did not want to get rid of the Police department.

- Mr. Tracy said that he did not want to get rid of the department either, but that Council had to make tough decisions to get rid of the debt.

- Mayor Isaacs again stated that he did not want to get rid of the Police department.

John Murray (398 Miami Street) suggested that Council involve the citizens in their decision.

Pete Stemple (273 North Third Street) stated that limiting the Village to two officers would allow criminals to take advantage of the shift that was not covered by an officer. He suggested that Council run the 7 mill levy.

Warren Sheehan (469 North Street) asked a question regarding the effective rate of the current levies, and Ms. Morris answered it.

Roll Call – 7 yeas (Mayor Isaacs stated after the vote that he would like to change his vote to no. Thus the vote ended up 6 yeas, 1 nay)

Mr. Forbes again stated how Council should handle the legislation in regards to their intentions. Ms. Morris stated the millage and the levy it pertains to before each vote.

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### **5.5 mill Police Levy**

*Motion to waive the two reading rule on Resolution 2008-026 – Ms. Stemple*

Second – Mr. Philpott

Roll Call – 7 yeas

*Motion to adopt Resolution 2008-026 as an emergency – Mr. Tracy*

Second – Ms. Stemple

Roll Call – 7 nays

*Motion to waive the two reading rule on Resolution 2008-027 – Ms. Stemple*

Second – Mr. Martin

Roll Call – 7 yeas

*Motion to adopt Resolution 2008-027 as an emergency – Ms. Stemple*

Second – Mr. Martin

Roll Call – 1 yea (Mayor Isaacs), 6 nays

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**7.0 mill Police Levy**

*Motion to waive the two reading rule on Resolution 2008-028 – Ms. Stemple*

Second – Mr. Martin

Roll Call – 7 yeas

*Motion to adopt Resolution 2008-028 as an emergency – Ms. Stemple*

Second – Mr. Martin

Roll Call – 7 yeas

*Motion to waive the two reading rule on Resolution 2008-029 – Ms. Stemple*

Second – Mr. Martin

Roll Call – 7 yeas

*Motion to adopt Resolution 2008-029 as an emergency – Ms. Stemple*

Second – Mr. Martin

Roll Call – 7 yeas

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**Surplus items**

Mr. Snell stated that he thought that selling the 2001 car would place a tremendous strain on the other two vehicles in use with the Police department.

*Motion to remove the 2001 car from the surplus list in Resolution 2008-030*

– Ms. Stemple

Second – Mr. Tracy

Roll call – 7 yeas

*Motion to have the first reading of Resolution 2008-030 – Ms. Stemple*

Second – Mr. Philpott

Roll call – 7 yeas

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**1.0 mill Street Levy**

*Motion to waive the two reading rule on Resolution 2008-031 – Ms. Stemple  
Second – Mr. Martin*

Roll Call – 7 yeas

*Motion to adopt Resolution 2008-031 as an emergency – Ms. Stemple  
Second – Mr. Martin*

Roll Call – 7 yeas

*Motion to waive the two reading rule on Resolution 2008-032 – Ms. Stemple  
Second – Mr. Martin*

Roll Call – 7 yeas

*Motion to adopt Resolution 2008-032 as an emergency – Ms. Stemple  
Second – Mr. Martin*

Roll Call – 7 yeas

**Other Business**

Mr. Snell stated that he would be off work the Friday before Labor Day. He also said that he is not permitted to financially support the levies due to the ICMA code of conduct, but instead he would give \$50 to the band boosters.

*Motion to adjourn at 10:30p – Mr. Philpott  
Second – Ms. Stemple*

Roll Call – 7 yeas

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

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Staci Morris, Finance Director/Clerk of Council