

Village of Waynesville Council Meeting Minutes March 2, 2009 – 7:30pm

Present: Mayor Earl Isaacs
Ms. Sandra Stemple
Mr. Alan Bunker
Mr. Chuck Feicht
Mr. Raymond Otto

Absent: Ms. Joette Hightower
Mr. James Martin

Village Staff Present: Jeff Forbes (Law Director), Bruce Snell (Village Manager), Staci Morris (Finance Director)

NOTE – This is a summary of the Village Council Meeting held on Monday, March 2 2009. A DVD recording of the meeting is available from the Clerk of Council.

Mayor Isaacs called the meeting to order at 7:31pm.

Roll Call – 5 present

*Motion to excuse Ms. Hightower and Mr. Martin from the meeting – Ms. Stemple
Second – Mr. Feicht*

Roll Call – 5 yeas

Mr. Otto led the Pledge of Allegiance.

Disposition of Previous Minutes

*Motion to approve the minutes of the 02/17/2009 meeting – Ms. Stemple
Second – Mr. Bunker*

Roll Call - 5 yeas

Public Recognition/Visitor's Comments

Gary Pelkey (830 Camp Creek Road) asked Mr. Forbes if a filing in Common Pleas Court is a public record, and if it is public, why can Council go into Executive Session to discuss the filing.

- Mr. Forbes stated that all documents are a public record. Sunshine laws allow Council to go into Executive Session to discuss litigation.

Old Business

Mayor Isaacs stated that he attended a 90th birthday party on Saturday, February 28 at Der Dutchman for Madeline Mahafee. Mayor Isaacs also stated that he declared Saturday, February 28, 2009 to be "Madeline Mahafee Day" in Waynesville.

Mayor Isaacs also stated that the first-ever "Alliance of Mayors" was held at Der Dutchman on Saturday, February 28. The six mayors in attendance were from Waynesville, Springboro, Carlisle, Lebanon, South Lebanon, and Franklin. Mayor Isaacs thanked Der Dutchman and Greg Zemore for the wonderful service.

Mayor Isaacs stated that he had been working with Representative Ron Maag and Marty Heide (Congressman Turner's Warren County representative) to repair the intersection of Route 42 and Route 73. Permanent improvements on the west side of Route 73 will be repaired in May or June.

Mayor Isaacs affirmed that he will be attending the Greater Dayton Area Mayors and Manager's Association dinner on March 11 to discuss the Federal Stimulus money.

Reports

(1) Standing Council Committees

(a) Finance Committee – Ms. Stemple stated that committee met on March 2 at 6:00pm and has nothing new to report at this time.

(b) Public Works Committee – Mr. Feicht stated that the committee will meet on March 16 at 6:00pm to discuss the ongoing list of projects.

(c) Special Committees – Mayor Isaacs thanked Mr. William LeMay for not only allowing a video camera to be placed on his building to monitor Veteran's Park, but will purchase the equipment as well.

MOMS Committee will be meeting for the first time in years on March 3 at 5:30pm. Ms. Stemple will be attending the meeting.

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

- Warren County water agreement still in progress
- reading Dr. Seuss to Ms. Muterspaw's first grade class at Wayne Local Schools. Chief Copeland also read to the class.
- broken school zone sign at North and Dayton. The sign will be replaced, and Chief Copeland has received a verbal commitment of \$3000 in funding from the Lebanon Eagles. Mr. Snell and Chief Copeland are still looking at costs and other sources of funding to pay for the sign.
- stimulus package funding request. Mr. Snell submitted 10-11 projects and equipment requests. At this point, no applications are being accepted, just requests to submit an application.
- request for an Executive Session to discuss litigation at the end of the meeting

Mr. Feicht asked Mr. Snell if he knew the time frame to hear about stimulus funding.

- Mr. Snell stated that he had not heard a time frame at this point, as many requests are still coming in.

Mr. Pelkey (830 Camp Creek) asked the reason that Corwin and Harveysburg pay less for water than Village residents.

- Mr. Snell stated that Corwin and Harveysburg receive their water from Warren County. Residents in the areas of Ferry Road, Lytle Road, and Carter Road pay for infrastructure through a capital improvement charge that Village residents also pay.

Bill Fritts (8717 Ferry Road) asked Mr. Snell if Ferry Road had been experiencing lower water pressure recently.

- Mr. Snell stated that he was not aware of any issues, but he would ask and get back to Mr. Fritts.

Mr. Bunker asked Mr. Snell to explain the storm water pipe replacement.

- Mr. Snell stated that the pipe had been replaced off Camp Creek Road due to poor design or installation issues. The area had become a retention area holding water and an attraction for mosquitoes. The Streets Department project is about 2/3 completed.

(3) Finance Director's Report – Ms. Morris discussed the completion of the 2008 annual financial report. She also stated that an advance of property tax revenue had been received from Warren County last week. The Village obtained \$75,000 in the Police Levy fund, \$10,000 in the Street Levy fund, and \$25,000 in the General Fund. The balance of property tax revenue will be received in April.

(4) Police Chief's Report – no report

(5) Law Director's Report – Mr. Forbes stated that the personnel policy manual is being wrapped up, and that he hopes to have by the next Council meeting. Mr. Forbes requested an Executive Session to discuss court action/ litigation at the end of the meeting.

William LeMay (Wilkerson Lane) stated that he had sent a note to the Village manager and is prepared to meet and discuss court case. He also stated that he received the court document applying for appeal and that he did not like the manner in which it was received. Mr. LeMay pointed out that he is

part of the suit that has not been brought to court regarding liability. He expressed his offence at Council not being given a chance to respond.

*Motion to adjourn to Executive Session to discuss litigation at 8:10pm – Mr. Otto
Second – Mr. Feicht*

Roll Call – 3 yeas, 2 nays passed by majority present
(yeas – Mayor Isaacs, Mr. Otto, Mr. Feicht. Nays – Ms. Stemple, Mr. Bunker)

Return from Executive Session at 8:43pm.
Roll Call – 5 present

New Business

none

Legislation

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Ordinance 2009-004 – an ordinance appointing Jeffrey D. Forbes as Law Director for the Village of Waynesville, Ohio and establishing the compensation.  
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*Motion to adopt Ordinance 2009-004 – Ms. Stemple
Second – Mr. Feicht*

Roll Call – 5 yeas

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Resolution 2009-005 – a resolution authorizing a then and now certificate  
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*Motion to adopt Resolution 2009-005 – Ms. Stemple
Second – Mr. Bunker*

- Ms. Morris stated the purpose of a then and now certificate (the fiscal officer certifies that both at the time the contract was made (then) and at the time the fiscal officer is completing the certification (now), sufficient funds were available in the proper fund) and why she was not able to give the certificate (it was over \$3000, so it requires Council approval).

Roll Call – 5 yeas

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Ordinance 2009-001 – an ordinance repealing 2008-051 and approving and authorizing the Village Manager to execute a revised water service agreement with the Warren County Board of Commissioners and declaring an emergency  
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- this ordinance continues to be tabled until the Commissioners approve the agreement.

*Motion to adjourn meeting at 8:45pm – Ms. Stemple
Second – Mr. Bunker*

Roll Call - 5 yeas

Date: _____

Staci Morris, Finance Director/Clerk of Council