

Village of Waynesville Council Meeting Minutes March 15, 2010 – 7:30pm

Present: Mayor Earl Isaacs
Ms. Sandra Stemple
Mr. Alan Bunker
Mr. Chuck Feicht
Ms. Joette Hightower
Mr. James Martin
Mr. Gary Pelkey

Absent: none

Village Staff Present: Jeff Forbes (Law Director), Bruce Snell (Village Manager), Staci Morris (Finance Director/Clerk of Council), Gary Copeland (Chief of Police)

NOTE – This is a summary of the Village Council Meeting held on Monday, March 1, 2010. A DVD recording of the meeting is available from the Clerk of Council.

Mayor Isaacs called the meeting to order at 7:30pm.
Roll Call – 6 present

Ms. Stemple led the Pledge of Allegiance.

*Motion to add Resolution 2010-008 to the agenda – Mr. Feicht
Second – Mr. Bunker*

Roll Call – 7 yeas

Disposition of Previous Minutes

*Motion to approve the minutes of the 03/01/2010 meeting – Ms. Stemple
Second – Mr. Pelkey*

- paragraph 2 on page 2 should read "should not affect"

Roll Call – 7 yeas

Public Recognition/Visitor's Comments

Marty Heide (Congressman Turner's representative, Warren County Outreach) discussed the following:

- Service Academy Day will be held on 04/17/2010 at Springboro High School
- Congressional Art competition – high school art students are encouraged to enter. The finished artwork will be hung in the Dayton Art Institute for one month on exhibit. The winner's artwork will be hung in the Capital Building with other areas winners. A reception will be held at the Dayton Art Institute on 05/09/2010. If you have questions, call #937.225.2843
- will be holding office hours in the Government Center 03/25/2010 at 9:00am-10:00am

Ron Kronenberger (50 Ellis Drive) stated his availability to answer questions regarding 2010-007, which is up for a first reading. The first Sauerkraut Festival meeting will be held Thursday, 03/18/2010 at 7:00pm in the Chamber office.

- Alan Bunker questioned whether listing "Ashmead's Woodworking shop" is acceptable as a reference point.

- Mr. Forbes stated that it is as long as all know the location.
- Mr. Kronenberger stated that he would provide a red outlined map before the second reading.

Old Business

none

Reports

(1) Standing Council Committees

- (a) Finance Committee – will meet 04/05/2010 at 6:00pm
- (b) Public Works Committee – met 03/11 and accompanied Mr. Snell to assess the Village street maintenance needs and looked at repairs needed.
 - met 03/15/2010 at 6:00pm and Jones Warner Engineering attended the meeting and discussed what the various road conditions will cost to repair.
 - water tower maintenance project had the first reading last meeting, but the committee recommends to Council that the legislation is rejected. The committee is considering changing the specs to get a more focused job going through the process again.
- (c) Special Committees – none

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

- water tower maintenance project. Mr. Snell discussed the expectation of 6-12 bids when the project was put out to bid but received only one, concern about leaving money on the table if the project could be done less expensively and the Village's right to reject any and all bids. Mr. Snell recommended to Public Works and Council to reject the bid received as the lowest bid was also the highest. The project will be put out to bid and hopefully receive 5 or more bids and a cost closer to \$110,000.
- meeting with the Finance Director and an auditor last week regarding concerns with the draft audit
- informational meeting organized by Rick Whitaker for landlords within the Village regarding the income tax
- Ms. Morris's three year Village anniversary
- the thank you in the Western Star from LCNB regarding the bank robbery (Mr. Snell read the letter)
- utility rate comprehensive study will be performed free of charge

(3) Finance Director's report – Ms. Morris discussed the following:

- February 2010 month-end balances
- Recovery Commission meeting will be held on 03/16/2010 at 5:00pm
- HB9 training for Council
- Charter Review applications in packets. Only received 14 of 15 required received.
- read ballot language for Issue 12 (income tax referendum)
- LCNB will permit the Village to refund the bond on the building, reducing the interest rate from 5.3% to 4.9%. This would save almost \$164,000 over the life of the bond (22 years). Council requested that Ms. Morris pursue the opportunity. Ms. Morris thanked Lonnie Schear for contacting LCNB's Trust Department.

(4) Police Chief's Report – Chief Copeland discussed the following:

- his letter to the editor of the Dayton Daily News thanking residents for the tips received in the bank robbery within minutes of the picture going out through a mass Village email
- Wayne Township Fire Department annual fish fry to be held on 04/10-04/11 and they have requested that the street be closed for the celebration
- vandalism and tires slashed recently. The Chief questioned a few suspects and the result is a full confession of four adult males.
- a metal detector was donated to the Village by the City of Springboro

Mr. Feicht thanked the Chief and the department on their part in the apprehension of the bank robbery suspect.

- Chief Copeland stated that the result was due to a collaborative effort within the department.

(5) Law Director's Report – no report

New Business

Mayor Isaacs stated that the Mayors and Manager's Association was giving notice of "Soar into the Future" for middle school students at Wright-Patterson Air Force Base 07/18-07/23.

Legislation

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*Ordinance 2010-006* – an ordinance to authorize the Mayor to direct the Finance Director to distribute funds donated to the Mayor for public and community services at the Mayor's discretion  
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- Mayor Isaacs stated that he came up with this legislation through a Mayors and Managers meeting to "create a ray of sunshine" by having a Christmas party for employees Mayor Isaacs also stated that he wanted the legislation to be passed as an emergency as Miamisburg did.
- Mr. Forbes stated that legislation is generally permitted to be passed as an emergency when it is for the public peace, health, safety and welfare. He stated that he wasn't overly concerned with the process of other cities as his position is to protect the interests of the Village. Council can chose to make the legislation an emergency.
- Mr. Martin stated that Council has been taken to task for so many pieces of legislation being passed as an emergency.
- Mayor Isaacs stated that it was fine, even though he asked.
- Mr. Forbes stated that the legislation permits the Mayor to give donations to the Village, and the Mayor will direct the use of funds.
- Mr. Feicht questioned whether the item will be a charge or a donation.
- Mr. Forbes stated that the cost is not part of the fee schedule, so it is not required to be paid for weddings performed.
- Mr. Pelkey asked if there was a way to get the money if marriages are performed before the second reading.
- Mr. Forbes stated that people can still make donations, of which the Mayor can turn over to the Finance Director to place in the Village treasury, as the legislation does not prohibit donations or the Mayor performing the ceremonies.

*Motion to have the first reading of Ordinance 2010-006 – Mr. Bunker
Second – Ms. Stemple*

- Ms. Morris stated that the money has not been appropriated, so no disbursements can be made yet. She asked Mayor Isaacs for an estimate to put in the appropriations next time they are amended.

Roll Call – 7 yeas

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*Ordinance 2010-007* – an ordinance authorizing the Village Manager to execute a lease agreement with the Waynesville Area Chamber of Commerce for the Ohio Sauerkraut Festival  
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*Motion to have the first reading of Ordinance 2010-007 – Ms. Stemple
Second – Ms. Hightower*

Roll Call – 7 yeas

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*Ordinance 2010-005* – an ordinance accepting the low bid for the Lytle Tower Rehabilitation Project from D&M Painting Corporation and authorizing the Village Manager to execute any required contract documents  
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Motion to adopt Ordinance 2010-005 – Ms. Stemple
Second – Ms. Hightower

- Mr. Forbes states that the vote was to adopt, so vote "yes" to accept the bid and vote "no" to reject the bid.

Roll Call – 0 yeas, 7 nays

Motion to reject any and all bids received for the Lytle Road Water Tower solicitation – Mr. Feicht
Second – Ms. Stemple

Roll Call – 7 yeas

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*Resolution 2010-008* – a resolution stating the intentions of Council with respect to the outcome of the income tax ordinance referendum  
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- Mr. Feicht read the entire resolution

- Ms. Morris gave an analysis of the changes proposed and the effect on the General Fund balance

- Mr. Snell stated that the resolution is not an indictment or a representation of the work done by the Streets Department's employees. Both employees received their CDL the first time taking the test, no significant or insignificant accidents plowing the snow, even though they worked day and night. Alex is the best employee on the back hoe for water breaks, and the potential cuts are not a reflection of Alex and Steve, it just shows a lack of funding. Mr. Snell stated that he and the Finance Director cannot even find the funds to pay for their own positions.

- Mr. Pelkey stated that he had been working on the figures at home and is of the opinion that no positions need to be cut, as some funds have money.

- Mr. Feicht stated that he has been over the numbers many times and cannot see where expenses could be cut without eliminating positions. The Village spent an equivalent amount in 2009 as was spent in 1999. When you take out costs that can be controlled, the only items left available to be cut are positions. Mr. Feicht stated that he expects the Recovery Commission to state that more cuts need to be made as the proposed cuts do not fully address the problem.

- Mayor Isaacs stated that it is a bit early to start laying off people and seems like a scare tactic.

- Mr. Bunker stated that the Recovery Commission charged Council with preparing a plan and he is not out to scare anyone, but feels it is important to let residents know what to expect.

- Mr. Snell stated that Mayor Isaacs, Ms. Stemple, Mr. Martin and he have met more than anyone else as they have been on Council longer than anyone. He stated that he does not see a way to sustain the current level of service without a way to pay for it. Mr. Snell stated that it is good to be optimistic, but we've been looking at this for 3.5 years and not found another solution. The finances have come a long way, but there is still a long way to go.

- Mayor Isaacs stated that everyone around is having financial troubles. He recently spoke with Xenia's manager and they are looking at laying off many employees.

- Mr. Snell stated that he has also recently spoken with Mr. Percival, and Xenia is looking to raise their income tax from 1.75% to 2.25%. The Village doesn't have a baseline to pay for services without a tax as municipalities without a tax have property tax levies.

Motion to have the first reading of Resolution 2010-008 – Ms. Stemple
Second – Ms. Hightower

Roll Call – 7 yeas

*Motion to adjourn to executive session to discuss the employment of a public employee and the compensation of a public employee with Mr. Snell and Ms. Morris at 8:47pm – Mr. Feicht
Second – Mr. Bunker*

Roll Call – 7 yeas

Return from executive session at 9:07pm.

Roll Call – 7 present

*Motion to adjourn the meeting at 9:07pm – Mr. Feicht
Second – Ms. Stemple*

Roll Call – 7 yeas

Date: _____

Staci Morris, Finance Director/Clerk of Council