

# RECORD OF PROCEEDINGS

0291

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Waynesfield Village Council Regular

Held

May 15,

20

2023

1. The meeting was called to order on May 15, 2023, at 6:30 P.M. with the following answering Roll Call:  
Mayor Luna; arrived at 6:48 pm, Miller; present; Ball-present; Nickles; present; - Mayor Pro Tempore, Waliti present; Winegardner; present.
2. The Minutes of the previous meeting were read and corrected and approved.
3. Fiscal Officer reported \$1,508,292.27 in all funds. \$188,290.06 in the General Fund.  
The Bills were read. A motion was made by Miller, seconded by Waliti to pay the bills presented.  
NOTE: Ball, yes; Nickles, mayor pro tempore/no vote, Miller, yes; Waliti, yes; Winegardner, yes.  
Fiscal Officer also reported that per the State Auditor, non-cash-payments, as discussed in the prior council meeting, would be a situation in which all (or a portion) of a customer's utilities balance is adjusted down without an actual payment being made. There could be a number of different reasons that this occurs such as late mail payments, bad checks and tax assessments.  
Essentially, there should be a Council-adopted policy explaining what would be a proper purpose to perform such an adjustment.  
Regarding the \$8,000 transferred into the mayor's court per the Ohio Department of Taxation since the funds were transferred incorrectly it does not require the approval of the Tax Commissioner or the Common Pleas Court because that correction does not constitute a "transfer" of funds as written in Revised Code Sections 5705.15 and 5705.16. 1958 Ohio Atty. Gen. Ops. No. 1958-1833.  
Therefore, approval from the Tax Commissioner is not necessary if it is just a correction of a distribution or transfer wrongly made.

#### 4. GUESTS: NONE

#### 5. COMMITTEE REPORTS:

Finance --- NONE

Utilities ---NONE

Records -- NONE

Parl -- NONE

Streets and Storm Sewer -- NONE

**Zoning** --Councilmember Nickles stated that the Zoning Committee is continuing to work on the zoning documents but are making pretty good progress. Council member Nickles thanked Administrator Bender for coming to the meeting and assisting the committee so they ensure everything is correct.

#### 7. POLICE REPORTS

Chief Motter reported an update on 205 E. Mulberry Street. The property owner has not paid the \$4100 owed to the village, so the Fiscal Officer has filed the paperwork to assess the property taxes. 205, 206 Sugar Street -- referral has been made to PMC. 202 Karen Street -- Property tied up in probate. Issue is the amount of money owed to the bank is more than the projected value. This may be a very long-term problem. If the village tries enforcement, it could be many years before the costs can be recovered. The cost of removing this mobile home is likely to be very expensive. On Friday May 5<sup>th</sup>, Chief Motter was asked to set up a booth for the second Waynesfield-Goshen Schools career school. Students were able to ask questions to a Sheriff's Deputy and himself about law enforcement. The Waynesfield-Goshen Schools will honor the Class of 2023 at a graduation ceremony on May 21<sup>st</sup>. As per the School Resource Officer Agreement Chief Motter will be working graduation. Chief Motter reported that the final day of school for all the other students will be Wednesday, May 24<sup>th</sup> at 1pm. Chief Motter also reported that the May primaries were held on May 4<sup>th</sup> at the W-G Board of Education building and there were no issues. The Waynesfield Baptist Church Installation Service for its newest Pastor Todd Tenaglia was held and Chief Motter and Mayor Luna

attended. Chief Motter stated that the construction to be completed and there have still been a few complaints of people driving on the path. Most complaints are of individuals driving on the path to the Memorial Day parade which will be held on May 29th. Chief Motter stated that he assisted with an escape inmate and was impressed with how all local, state and federal agencies worked together to apprehend the subject. This week is also National Police Week and Chief Motter encouraged residents to "Light Ohio Blue" by switching their porch light with a blue light to honor all the officers who have died and all those who support law enforcement.

VII VILLAGE ADMINISTRATOR REPORT:

Administrator Bender provided his report to council.

**Electric:** Administrator Bender stated the street lights on S. Westminster have been converted to LED. He also stated that we are waiting for a letter for AMP on the Moyer Rd issues. For the interconnection Agreement, Administrator Bender recommended to pay .05 per kWh back to the owner (Section VIII), this would cover the next several years so that it would not need changed yearly. AMP's thought is .076 per kWh based on the current prices, but this would fluctuate year to year.

Administrator Bender asked about doing a second reading with The Solar Ordinance which needs reviewed and passed along with the Interconnection agreement and Interconnection Application. Council member Nickles stated they would do that with old business.

**Water and Sewer** – Administrator Bender state that the Village is waiting on the parts for the overflow at the lagoons.

Administrator Bender spoke about the W. Wapak Street project. He stated that all curbs have been poured and the pouring of the sidewalks started. The goal is to have the south walks done by the week of May 15th. The asphalt base will start on May 17th and milling will follow. Administrator Bender recommended, due to the time of year the dirt will be done, that the grass seed will be planted mid-August. Councilmember Nickles was concerned of possible corrosion, Bender stated that the company would come back and fill it in to ensure it doesn't happen.

Administrator Bender stated that the Village of Waynesfield is waiting on the next pay application and a quote for the water tower painters to see what funding is available for extra paving of roads throughout the village. Councilmember Walti was concerned of the manhole on the street and safety issues with it. Councilmember Nickles asked if there was a way to lock it, Administrator Bender stated yes and we would do this for safety reasons.

Park- Administrator Bender stated that the north parking lot has been enlarged with old road base from the project. Progress on the park house has been made and the buyer is waiting on the movers to slide the house over to trailers and move it out. Administrator Bender discussed making the east entrance to the park wide enough for two vehicles to pass. He as talked to Degen Excavating about a quote. The Village would do all the tear out and prep work. Administrator Bender included a picture in the report. Administrator Bender discussed wanting to make the east parking lot larger as well with milling from the road when the Village receives them.

Administrator Bender also discussed the plastic slide at the park. He stated that the slide has a rip in the plastic that could be a safety hazard for residents who play on it. Currently he has placed a piece of wood covering it so no one can slide down it. Councilmember Nickles stated that she feels we should also need to place a piece of wood on both sides so kids are unable to climb up it or use it all.

**Water and Sewer – NONE**  
**Storm sewers and streets – NONE**  
**Future – NONE**

9. MAYOR'S REPORT:

a. Mayor's Court Report- \$822.00 was deposited into the General Fund from the Mayor's Court Account for the month of April.

10. OLD BUSINESS:

A motion was made by Miller seconded by Winegardner, to have the second reading on Ordinance 23-4, an ordinance to allow the Village of Waynesfield, Auglaize County, Ohio, to adopt policies and procedures for the interconnection of distributed generation resources.

VOTING: Ball, yes; Nickles, yes; Miller, yes; Walti, yes; Winegardner, yes.

Councilmember Nickles discussed capital assets from the previous meeting with council. She asked Administrator Bender how we were planning on proceeding with it. She also stated that the Village has to establish a threshold policy that captures 80% of capital assets. Administrator Bender stated that the Village

