

Waynesfield Village Council Regular

June 26,

2023

The meeting was called to order on June 26, 2023, at 6:30 P.M. with the following answering Roll Call: Mayor Luma, present; Ball, present; Walti, present; Miller, present; Hutson, present; Winegardner, present; Nickles, present.

1. The Minutes of the previous meeting were read and corrected and approved.
2. Changes on Special council meeting

3. Fiscal Officer reported \$ 1,537,829.19 in all funds. \$ 198,564.73 in the General Fund.

The Bills were read. A motion was made by Miller, seconded by Winegardner to pay the bills presented.

VOIT: Ball, Yes; Walti, Yes; Miller, Yes; Hutson, Yes; Winegardner, Yes; Nickles, Yes.

4. **GUESTS:** Katie Volbert

- a. Katie Motter was present and gave the Village of Waynesfield \$1,125.00 for the Bill and Carolyn Motter Christmas fund. This money was donated through Bill and Carolyn Motter's celebration of life.
- b. Mayor Luma presented Katie Volbert with a Proclamation for William Motter. Whereas they thanked William "Bill" Motter for his service and made the 26th of June William "Bill" Motter Memorial Day.

5. **COMMITTEE REPORTS:**

Finance – NONE

Park -- Present was Administrator Bender and Chief Motter along with the regular Park committee members. Guest included Lois Souder and Peggy Walti. Administrator Bender provided updated on the tunnel slide at the park that is in disrepair. The slide is currently boarded up with plywood to avoid safety hazards. The Village is awaiting quotes from the manufacturer for replacement/repair options. Administrator Bender shared ideas to utilize an auto body shop to save money on cost of repairs. Councilwoman Nickles voiced concern for liability.

Chief Motter provided a presentation on ideas that have been generated by the CDI. The team has reportedly been discussing how best to make an impact on the community and are interested in enhancements to the park. Chief Motter stressed that these ideas are tentative and the CDI simply wished to open discussion. Chief Motter shared a list of possible projects at the park, correlating to a map. The CDI plans to seek funding from a number of sources, including grants, donation, partnerships, etc. The intent is for projects to be completed using little to no taxpayers' monies. The Committee agrees with the CDI continuing with this project. The CDI request that the Park Committee indicate which project should be prioritized for completion.

The CDI plans to obtain estimated for each potential project, and continue seeing and evaluating sources of revenue. Guest Lois Souder voiced concerns that money appropriated for the park is inadequate and more money should be appropriated.

Brief discussion on the widening of the entrance of the park. Councilmember Nickles and Councilmember Walti voiced concern that Administrator Bender did not obtain council approval to widen the park entrance. Administrator Bender shared that the cost of widening the entrance totaled less than \$2,000. Materials were obtained at discounted rate as part of a larger project.

Streets and Storm Sewer -- The meeting was held on June 12th. Per Councilmember Walti, the minutes for the meeting were not available. However, Councilmember Walti stated that during the meeting they discussed with Administrator Bender the involvement of when the street will be blacktopped/coated.

Utilities -- Administrator Bender discussed the upcoming third reading of the interconnection agreement for solar panel energy. Following discussion with AMP, it was recommended that the Village consider buying back solar-generated energy, at a relatively low cost (5-7 cents per kilowatt.) The committee discussed the need for the capping amount that can be bought back at any given rate, to prevent exorbitant amounts that may be due to large businesses. Need to avoid ambiguity in agreement language to prevent future issues. Administrator Bender recommended putting off third reading of agreement until a decision is made. Plans to follow up with AMP.

Administrator Bender provided an update on water tower repainting. Plans for the water tower to be repainted end of June. It is anticipated to take approximately 3 weeks to complete. Will need 2-4 pressure relief valves during the project, and there is a possibility of renting from Columbus Grove. Administrator Bender shared that there will be a

very subtle difference in color of paint, which is a necessary means to measure milling, and ensure sufficient coverage. "Waynesfield" script included in cost of painting. A tiger head emblem will be featured as well, any additional cost generated by including emblem will be covered by W/G Schools. There is a possibility of solar-powered light to illuminate tiger emblem.

Administrator Bender provided update on work completed at The Place To Go. A new pole installed, new 3-phase, all new equipment was installed. The Administrator shared that this project has been planned for 5-6 years.

Project change orders for the West Wapakonca project were reviewed, and available funds remaining in the loan. There is a conservative estimate is \$6,328,41 unused from loan. Discussion regarding whether this should be applied to additional street improvements. Administrator Bender discussed potential streets to be repaired, with the use of street analysis information. There may be a possible need to supplement available funds with monies from the Street Fund.

Councilwoman Nickles requested clarification on the estimated cost of the future substation upgrade, and loan/funding options. There is a need for rate study before moving forward with this project.

Councilwoman Winegardner requested an update on Moyer Road residents. Administrator Bender plans to follow up with residents with a letter from AMP.

Records ... The committee received the final inventory from the Administrator Bender. The committee now has all record inventories from all Department leaders. The plan is to complete a draft Records Retention policy based on the records inventory. When that is completed it will be given back to the department leaders to review. The next step would be to bring it to council for approval and after it is approved and signed it will be sent to the state.

The committee also discussed the environmental control of Records Location (Pence Building). Councilmember Nickles spoke with Administrator Bender regarding a dehumidifier for the Pence building where the records archives are. Administrator Bender is going to obtain an estimate.

A Discussion was held regarding the codification of Village ordinance.

The committee will move forward with Codification of Village Ordinances upon Council's approval.

Zoning ... The Committee had guest Vernon Fox present who requested to add a porch to the front of his property located at 303 North Westminster St. Copies of request were given to committee.

Also, Dennis Nolan III presented a variance request to build a garage behind his home located at 207 E. Mulberry St. Mr. Nolan's lot is 33' wide by 132' deep. Due to the size of the lot and the location of the new garage he is requesting a zoning variance. The committee members advised him he would need to revise his request. He agreed to remove the existing building and place the new building a minimum of 8 feet from the East property line. In case of a fire emergency at his property or the property to the east of his location, there would be approximately 16' distance between any new construction. Currently the distance between his residence at 207 E. Mulberry Street and the residence at 209 E. Mulberry is 5 feet or less (approximation). The committee approved the amended request was it was given to Administrator Bender to complete the Building Permit.

7. POLICE REPORTS:

W/G Schools: On May 21, W-G held its annual graduation ceremony. Congratulations to the Class of 2023. The ceremony was delayed briefly after a graduate had a minor medical issue, but after the incident was resolved, the ceremony went as planned.

The school year officially ended for kindergarten through 11th grade on May 24 and will resume in August.

Memorial Day: Chief Motter stated that the Waynesfield American Legion's annual Memorial Day parade was held on May 29th. There were no issues at the parade and the weather was nice.

Chief Motter and Officer Steve Humes had their annual firearms requalification's on May 25th. Chief Motter stated they both did very well and they both qualified with two handguns and the department's shotgun. Firearms qualifications are amongst one of the many requirements to be a police officer in Ohio and must be successfully passed every year to maintain a law enforcement commission.

CDI Updates: The Community Development Team met on Wednesday, May 17th. Chief Motter stated that they discussed the possibility of some long-term projects in the park. The CDI team decided they needed to meet with the Villages' Parks Committee, which Administrator Bender did on June 7th. During the Parks Committee meeting, Administrator Bender and Chief Motter shared the vision of the CDI and wanted to see how the Parks Committee felt about their long-term vision. The Parks Committee would like to see how much each project with the park will cost before they determine a priority list of which projects should be done first, second, etc. Administrator Aaron and Chief Motter will be working on a list and will have projected costs to the Parks Committee by their next meeting.

Chief Motter stated that the call volume for the police departments has skyrocketed. Domestic disputes, civil custody disputes, dogs running at large, traffic stops, burning complaints and other typical warm weather complaints have been steady.

Chief Motter also included the Resolution and contract for the school Resource Officer. He stated the contract is identical to the contract from last year except the year changed to this upcoming school year. Chief Motter stated he met with the Waynesfield-Goshen Superintendent and was he was pleased with arrangement that they had last year. The Waynesfield-Goshen School Superintendent is in favor of the contract.

Chief Motter stated that since the contract has been in place there has been better collaboration with the school and Village. Students are getting to know and trust Chief Motter which helps during crisis moments inside and outside of school. The adults have a level of care from the police that they did not receive previously and having Chief Motter present at the school ensures a level of safety for a large group of people.

He asked the Council to consider accepting and passing the renewal contract for the Police Department and WG Schools.

Chief Motter also discussed July 4th and the fireworks are not be permitted to be discharged in the Village of Waynesfield.

The Resolution for the contract for WG school and the Police Department will be discussed during new business.

8. VILLAGE ADMINISTRATOR REPORT:

Administrator Bender provided his report to council.

Electric

Administrator Bender would like to table the 3rd reading on the Inter-connection agreement until we hear back from AMP.

He also stated that Moyer Road, residents have had letters sent to them regarding the Village of Waynesfield not wanting to release them off of the electric grid.

Administrator Bender currently has an email out to AMP for an update on potential substation upgrades and timeframe.

Water and Sewer

Administrator Bender stated that the Resolution of Violations has been addressed with the I/P/A from the sanitary (water) survey and there is a need to keep in contact with them as to new meters being installed, water tower painting and water loss.

He also stated that the CCR report will go out with this month's utility bills. This report states that the water that is consumed by the Village is safe.

Administrator Bender is looking into getting quotes for the water tower to be put on a maintenance schedule. The water tower will be painted inside and outside. Every 10 years the outside needs painted and the inside of the water tower needs painted every 20 years. Contract was talked about previously for a maintenance contract for the water tower. Administrator better reiterated the conversation with council members.

Storm sewer and streets

Administrator Bender stated streets that can be paved as part of the current project if council approves the change order are as follows;

Mulberry from the West end of street to where street widens out, Morning Glory and Sunrise Dr. and several spots throughout the Park Dr. If it is approved there is a possibility the contractor could be in to pave the last week of June, but may be August until they would be back in the area.

Administrator Bender stated that upon talking with the engineer, he does not feel comfortable adding any more streets to the list within this project.

Administrator Bender would like to have council's permission to use \$3,000.00-\$5,000.00 to crack seal streets in need of maintenance. Those streets would be parts of/all of Pearl St., Perry St., Anthony Wayne Trail, Mulberry St. and Tussing St. He stated with doing this maintenance along with new pavement puts the Village in a much better situation moving forward.

After looking over Administrative Benders report Councilmember Nickles was concerned of the extra money being spent. Councilmembers Nickles asked if the contractors were going to give us a discount due to what we have used them for. Administrator Bender stated yes, that is was already included in the quotes.

A motion was made by Miller, seconded by Winegardner for the street work to be done by the contractors.

VOIIE: Ball, yes; Walti, yes; Miller, yes; Hutson, yes; Winegardner, yes; Nickles, Yes

A motion was made by Nickles, seconded by Ball for work to be done by contractors and support the Village Administrator expenditures of up to \$5000.00 to do crack sealing maintenance for the street.

VOTE: Ball, yes; Walti; yes; Miller, yes; Hutson, yes; Winegardner, yes; Nickles; Yes
Administrator Bender gave a Gov. Deals list

Semi and Trailer

Tanker Truck

De-icer Truck

Military Trailer

Air craft Generator

All equipment except for semi and trailer are at the Pence building to be looked at by potential buyers. Semi and trailer are at the water plant.

9. MAYOR'S REPORT:

- a. Mayor's Court Report- \$1065.00 was deposited into the General Fund from the Mayor's Court Account for the month of May.
- b. The Mayor and Council discusses clean-up day and agreed it will be on July 15th from 9am to 3pm.

10. OLD BUSINESS:

Motion made by Miller seconded by to suspend the rules of three readings and to declare an emergency to pass Resolution 23-6-1 to transfer the monies from the Mayors Court back into the General Fund.

VOTE: Ball, Yes; Walti; Yes; Miller, Yes; Hutson, Yes; Winegardner, Yes; Nickles, Yes.

A motion was made by Nickles, seconded by Ball, to pass Resolution 23-6-1 to transfer the monies from the Mayors Court back into the General Fund in the amount of \$8,000.00.

VOTE: Ball, Yes; Walti; Yes; Miller, Yes; Hutson, Yes; Winegardner, Yes; Nickles, Yes

Mayor Court Deposits Discussion:

Councilmember Nickles asked about the deposits and stated she talked to the Utility Clerk regarding the audit and what process there is with the payments.

Mayor's Court Clerk Gauder explained the audit and stated she cannot control the type of payment whether it be pre-paid, debit card or the ACPI sweeps that goes through those periods.

Mayor's Court Clerk Gauder went through audits in 2021 and looked at everything month from month that were cashed. Mayor's Court Clerk Gauder stated the number that were checks and what was made by credit card all matched the percentage that the auditor listed.

Mayor's Court Clerk Gauder stated that since she's been involved with the Village of Waynesfield that every staff member and elected official has been polite and professional in every way shape and form until recently involving Councilmember Nickles and Councilmember Ball.

Mayor's Court Clerk Gauder would like to address this because this addresses her accuracy of her work as a public servant. She stated that the Mayor is the highest elected official and he is the one that enters into contract with in conjunction with the Village Fiscal Officer and the guidance of the Solicitor. The Mayor made it clear if there were any questions to go to him or Administrator Bender, rather than going back channels to avoid disturbances in the day-to-day operations and also running up additional legal bills.

Mayor's Court Clerk Gauder thanked Councilmember Nickles for preparing her statement regarding her issue. She stated that Councilmember Nickles brings works experience, opportunity and a drive to continue to help the Village grow. However, she stated that her statement was in direct defiance to the Mayor and disrespectful to Administrator Bender and to herself.

Mayor's Court Clerk Gauder stated if Councilmember Nickles would have any questions that she has a published land line number and is available 24/7 and anyone can contact her at any time.

Mayor's Court Clerk Gauder asked that Councilmember Nickles to not approach the Utility Clerk regarding questions of the Mayors Court payments.

Councilmember Nickles said they would like to move forward.

Mayor Luma called a break.

Councilmember Ball stated she only asked a simple question and didn't know why Mayor's Courts Clerk Gauder was so offended.

Councilmember Nickles stated her comment was purely procedural and she's not going to address it and stated if Mayor's Court Clerk Gauder has a personal issue with her she doesn't know her and the meeting is political and it is a political forum.

Councilmember Nickles voted to move on and Councilmember Ball said she doesn't understand the issue. Walti said it sounded personal and Mayor's Court Clerk Gauder stated it does have to do with the payments.

Mayor Luma stated Mayor's Court Clerk Gauder has a right to defend herself and Councilmember Nickles stated it was a simple procedural issue that needed to be addressed. Councilmember Nickles stated that she did not attack Mayor's Court Clerk Gauder.

Mayor's Court Clerk Gauder clarified what she does as the Mayors Court Clerk so there was understanding.

Mayor Luma stated it was time to move forward with the meeting.

11. NEW BUSINESS:

Motion made by Miller seconded by Winegardner to suspend the rules of three readings and to declare an emergency to adopt Resolution 23-6-2 Designating posting locations of public notices.

VOTE: Ball, Yes; Walti; Yes; Miller, Yes; Hutson, Yes; Winegardner, Yes; Nickles, Yes

A motion was made by Miller, seconded by Winegardner, to pass Resolution 23-6-2 Designating posting locations of public notices.

VOTE: Ball, Yes; Walti; Yes; Miller, Yes; Hutson, Yes; Winegardner, Yes; Nickles, Yes

Motion made by Miller, seconded by Walti, to suspend the rules of three readings and to declare an emergency to adopt Resolution 23-6-3 to approve the agreement for the part-time school Resource Officer services between the Village of Waynesfield and the Waynesfield-Goshen local school district for the 2023-2024 school year.

VOTE: Ball, Yes; Walti; Yes; Miller, Yes; Hutson, Yes; Winegardner, Yes; Nickles, Yes

A motion was made by Miller, seconded by Ball, to pass Resolution 23-6-3 to approve the agreement for the part-time school Resource Officer services between the Village of Waynesfield and the Waynesfield-Goshen local school district for the 2023-2024 school year.

VOTE: Ball, Yes; Walti; Yes; Miller, Yes; Hutson, Yes; Winegardner, Yes; Nickles, Yes

Councilmember Nickles stated she gave a breakdown from the records committee to the Council for the Codification of Village Ordinances. She informed the Council of the pricing and payments. Councilmember Nickles stated she wanted to make council aware of this and discuss it so they would understand it so she could look into it further. She went over the payments and would like to put it into the budget appropriations for 2024. Councilmember Nickles discussed it so council would understand it before she looked into it further. Council agreed that they would like to look into it further.

Mayor Luma passed out the new committees he assigned to the Council members.

Councilmember Ball discussed the Lions Club having a festival and stated she would like to put a booth up for the 175th birthday of Waynesfield in September.

Motion made by Walti, seconded by ball to go into executive discussion to discuss pending litigation.

Executive session entered at 8:12 pm

Executive session exited at 8:49 pm

12. SOLICITOR REPORT: NONE

A motion to adjourn was made by Miller, seconded by Ball at 8:50 pm

VOIT: Ball, Yes; Walki, Yes; Miller, Yes; Hutson, Yes; Winegardner, Yes; Nickles, Yes



Mayor



Fiscal Officer