

VILLAGE OF WAYNESFIELD  
COUNCIL MEETING MINUTES

January 22, 2024

1. The meeting was called to order on January 22, 2024, at 6:30 P.M. with the following answering Roll Call: Mayor Luma; present; Fox, present; Ball, present; Hutson, present; Nickles, present; Miller, present; Walti, present.

2. Motion made by Miller seconded by Walti to adopt the amended agenda.

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

3. GUESTS: Craig Mescher

a. Mr Mescher discussed applying for a critically funding grant. This would be tied into funding the Village has for East Wapakoneta. We'd have to apply in spring and the Village would know by November.

4. Voting on Council President

Council member Ball nominated council member Lisa Nickles for Council President. Council member Nickles respectfully declined.

Council member Walti nominated council member Bob Miller for Council President.

VOTE: Fox, Yes; Ball, Yes; Hutson, Yes; Nickles, Yes; Miller, abstained; Walti, Yes.

Bob Miller is Council President for 2024.

5. The Minutes of the previous meeting were read and approved.

6. Fiscal Officer reported \$ 1,534,901.82 in all funds. \$296,451.29 in the General Fund.

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

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

8. POLICE REPORTS:

Chief Motter provided his report to council members.

#### CDT UPDATE

I have been in contact with State Representative Susan Manchester's office and they are in the process of putting our proposal together to present to the proper budgetary committee. The budget talks are just beginning, so I still don't have a timeframe as to when we might hear something. I will keep council informed as I receive information.

#### HOLIDAY LIGHTS COMPETITION

The annual Village Holiday Lights competition saw 70 residential properties with light displays in the 2023 competition. The Annual Holiday Lights competition completed with Marshall's on Tusning Street winning, a tie for second place with Darnell's on West Wapakoneta Street and Wittenbrink's on Wayne Street, McClunkin's on South Westminster Street winning third place, and Carter's on North Westminster Street taking fourth place. Pictures of the winning properties, as well as additional information, are on the Waynesfield PD Facebook page.

#### MARIJUANA LEGALIZATION

As of this date, there is still a ton of confusion for the current marijuana laws. Included in your packet is the latest legal guidance we have received from the Ohio Attorney General's Office. This is simply for your information and will most certainly change in the next few months. But this is the guidance we have at the moment. As you will read, it's a fairly complex issue that has multiple facets we have to consider when faced with a marijuana issue.

#### K9 HUNTER CELEBRATES BIRTHDAY

On January 14, 2024, K9 Hunter celebrated his 10<sup>th</sup> birthday. K9 Hunter still appears to be in very good condition, so as long as his health holds up, I intend to keep him in service. His role may be changing, however. K9 Hunter will still be able to be utilized for patrol, apprehension work, tracking of subjects, and searching for articles. K9 Hunter will also be used for narcotics detection in our schools. However, because he is certified in marijuana and marijuana legalization is more or less here, his use on most traffic stops will be limited. Depending on K9 Hunter's health, legal changes, etc., this might be the year I may speak with council about the possibility of retiring K9 Hunter. I'll keep council informed as needed.

## STATE MANDATED TRAINING FOR POLICE DEPARTMENT

For 2024, the State of Ohio is requiring a minimum of 24 training hours (not including firearms training) for each officer in order to maintain certification as a peace officer. Much of this training can be done online, and the state will reimburse the village for 50% of each officer's wages.

We have always exceeded the state minimum in training because I think it is important to be as highly trained as possible. So, there are several trainings throughout the year that Officer Humes and I will be attending.

### SCAMS RUNNING RAMPANT

Beginning shortly after Thanksgiving and continuing now, we have seen a large number of scams in Waynesfield. From a Facebook account being hacked and trying to sell dogs to folks in the area, to phone scammers representing various companies calling, to people making up fake identities and trying to get money from individuals, I have had reports of four or five different scams.

Most of the scams have to do with giving up a small amount of your own money in exchange for a larger sum of money or goods (like a dog). Some of these scams are very complex, actually trying to form a relationship with the person by calling or texting the victim regularly. The end goal is to get the person to send money via an online app on your phone, or even doing a wire transfer, with the promise of a bigger return payment.

Some of these scams prey on individuals by telling them a made-up tragic story about their life. And because we are in a very trusting part of the country, this area is ripe for scamming people. Typically, we see older people getting taken advantage of, and in some cases, the person being scammed doesn't even feel like a victim (or are too embarrassed to admit they were scammed).

The bottom line is this – if it's too good to be true, it likely is. The likelihood of someone being prosecuted for these scams is very slim as oftentimes the scammers are not located in the United States. Federal law enforcement generally won't get involved unless the loss is greater than \$50,000 on cases that the suspect is outside the USA.

### SPEED SIGN ON WEST WAPAKONETA STREET

At the last council meeting, there was a request made about possibly placing our sign that shows a vehicle's speed on West Wapakoneta Street (State Route 67). Unfortunately, that is not possible as all signage on state routes are maintained and approved by the Ohio Department of Transportation. Because our sign is not owned and maintained by ODOT, we cannot receive approval to display it on a state route.

### END OF YEAR ANNUAL REPORT

The last piece I have for you tonight is my End of Year Report and 2024 vision for the police department. Included with this report you will find the annual statistics compiled from 2010 (my first full year as police chief) through 2023.

The 2023 statistics indicate we saw a huge increase in total investigations and slight increase in juvenile issues. Many of the investigations this past year included identity theft complaints, criminal trespassing complaints, and domestic disputes. The juvenile issues were largely situations that transpired at school or were otherwise school-related. This includes truancy issues, assaults and even some custodial issues between parents/guardians.

One area Chief Motter spoke about in January 2023 during my 2023 vision report was to hone in on a community-oriented policing style of law enforcement. He feels we succeeded in making positive progress in that area. We conducted additional foot patrols this past summer, and stopped and spoke with numerous residents heard about all sorts of concerns and compliments. I think that demonstrates a community-oriented focus. We also did a lot of public relations events within the community. From doing a self-defense class for the girl scouts to doing numerous K9 demonstrations at the school to participating in the Shop with the Blue event, my goal of the police department taking intentional steps at connecting with the community has been achieved.

Not to be lost in community-connectedness, we still worked hard at combating crime within the village. I am happy to report that all cases that were approved for criminal charges by the Auglaize County Prosecutor's Office this past year resulted in convictions. These are cases that have finished the legal process. (We do have about 3 cases still in the legal process.) I bring this to council's attention because it's very important to me to send solid cases for prosecution. I don't like charging cases where the evidence is not clear – not only is it a waste of resources, waste of the court's time, and can become a department credibility issue, the cost for an individual can be substantial. So, my goal is always to pursue criminal cases with vigor but at the same time allow the evidence to prove a case beyond a reasonable doubt.

There are three main goals I have for 2024. First, I would like the focus of the department to continue with a community-oriented policing style of law enforcement. Of course, we will still vigorously work to keep the community safe. Next, I would like to see the Waynesfield Police Department acquire grant funding for equipment upgrades in order to not impact our continually decreasing budget. And third, I would like to see the community more involved in activities within the village. I hope to work towards recruiting volunteers to assist the police department in multiple areas – such as safety awareness events, healthy activities, and other areas that promote a better quality of life for

### 8. VILLAGE ADMINISTRATOR REPORT:

Administrator Bender provided his report to council.

**Water and Sewer**

The Village has received 130 radios for water meters. This is about 1/3 of them. Administrator Bender will start the install process in the coming week. Next the sales rep will come to set up the tablets and work with our current system for billing.  
House fire on Waynesfield Rd. January 10th luckily did have a pond to draft water from to fight the fire. Very little Village water was used.

**Electric**

Administrator Bender stated that the Village has received 4 new Village electric meters. These are basically a prototype to make sure they look and function as they should before the whole order is made.  
We had to call in Lakeview to cut the power to the house that burnt on the 10<sup>th</sup>.  
JM Testing was in the 18<sup>th</sup> to test all electrical tools and equipment. This is done once a year.

**Lands and Buildings**

The HVAC unit at the records/evidence room has been installed.  
Administrator Bender will start working on getting quotes for the new building at the Pence property.

**9. MAYOR'S REPORT:**

- a. Mayor's Court Report- \$464.00 was deposited into the General Fund from the Mayor's Court Account for the month of December.
- b. Committee assignments for 2024 will stay the same as they are now.

**1. OLD BUSINESS:**

A motion was made by Miller, seconded by Fox, to have the third reading to pass Resolution 23-11-1, a Resolution to pay Village Administrator Aaron Bender back pay for working on-call during certain weekends between October 2022 and October 2023.

VOTE: Fox, Yes; Ball, No; Hutson, Yes; Nickles, No; Miller, Yes; Walti, No.

Mayor Luma broke the tie with a yes vote. Resolution 23-11-1 passed.

Mayor Luma asked for a motion for Ordinance 23-11-5. An ordinance to remove the "No parking" signs on the North side of West Wapakoneta Street.  
No motions made.

Motion for Ordinance 23-11-5 died.

**2. NEW BUSINESS:**

A motion was made by Nickles seconded by Fox to suspend the rules of three readings and to adopt Resolution 24-1-1, a Resolution authorizing the sale of personal property including but not limited to equipment, tools and supplies which are no longer needed for public use or are obsolete or unfit for the use for which they were acquired by internet auction per ORC 721.15 and to declare an emergency.

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

A motion was made by Nickles, seconded by Walti to adopt Resolution 24-1-1, a Resolution authorizing the sale of personal property including but not limited to equipment, tools and supplies which are no longer needed for public use or are obsolete or unfit for the use for which they were acquired by internet auction per ORC 721.15.

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

Motion made by Miller, seconded by Fox to suspend the rules of three readings and adopt Resolution 24-1-2, a Resolution appointing Matthew Mitchell to serve as Magistrate of the Village of Waynesfield Mayor's Court and to declare an emergency.

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

A Motion was made by Miller, seconded by Fox to adopt Resolution 24-1-2, Resolution appointing Matthew Mitchell to serve as Magistrate of the Village of Waynesfield Mayor's Court.

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

Motion made by Nickles seconded by Miller to suspend the rules of three readings and to adopt Resolution 24-1-3, a Resolution authorizing and directing the Village Administrator, Fiscal Officer and Mayor to take all necessary steps to

enter into a contract with American Legal Publishing for continual renewal for the Ohio Basic Code and to declare an emergency.

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

A motion was made by Nickles, seconded by Miller to adopt Resolution 24-1-3, a Resolution authorizing and directing the Village Administrator, Fiscal Officer and Mayor to take all necessary steps to enter into a contract with American Legal Publishing for continual renewal for the Ohio Basic Code.

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

A motion was made by Miller, seconded by Nickles to suspend the rules of three readings and adopt Ordinance 24-1-1, an Ordinance adjusting utility billing cycle for the water and sewer rents and to declare an emergency.

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

A motion was made by Nickles, seconded by Miller to adopt Ordinance 24-1-4, an Ordinance adjusting utility billing cycle for water and sewer rents.

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

A motion was made by Nickles seconded by Miller to approve the Fiscal Officer to register and attend the 2024 Local Government Officials conference on March 26, 27 and 28<sup>th</sup>.

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

A motion was made by Miller, seconded by Fox to accept and approve the council meeting calendar for the 2024 year.

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

#### 10. SOLICITOR REPORT:

- a. Ridenour v. Village of Waynesfield ----no appeal taken. Deadline expired Friday, January 19, 2024. Matter successfully defended and is now closed with prejudice to refiling.

A motion to adjourn was made by Nickles, seconded by Fox at 7:38 pm.

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

*Sarah Montgomery*

Fiscal Officer

  
Robyn Clark  
Mayor