

**Call to Order**

The Regular Session of Council was called to order by Mayor Mike Erwin. The meeting was opened with the Pledge of Allegiance.

**Roll Call**

Roll Call was completed by Clerk of Council. The following members were present.

Judy Neal – P	Rebecca Isaacs-Niemesh – P
Yorkie Bryant – P	John Poe – P
Terry Erwin – P	William Thompson – P

**Approval of Minutes of Previous Meeting**

Council reviewed the minutes of the previous meetings. Motion by Councilwoman Neal to approve the minutes of the April 8th Regular Session; second by Councilman Erwin, five yea, with one abstention by Councilman Poe. Motion carried. Solicitor Kaspar advised the February Special Meeting minutes would be approved by majority vote. Motion by Neal to approve the minutes for the Special Session of February 18th; second by Erwin, four yea, one nay with dissent by Councilman Thompson and one abstention by Councilman Bryant. Motion carried.

**Committee Reports / Legislation from Village Officials**

Village Administrator Smith reported seven water rate reductions were requested; five met legislative requirements and *all* criteria with 5 times greater usage than the average billing for a one time utility adjustment. Two additional residents are recommended, falling a few gallons shy of the 5 times greater criteria only.

- 1) 6464 US 22 & State Route 23 – Adjustment requested \$521.35 for 238,500 gallons. Motion by Erwin to approve adjustment; second by Councilman Bryant. All yea.
- 2) 6884 Woodward Claypool Road – Adjustment requested \$147.47 for 71,500 gallons. Motion by Neal to approve; second by Erwin. All yea
- 3) 5095 Mary Louise – Adjustment requested \$41.49 for 22,900 gallons. Motion by Erwin to approve; second by Neal. All yea.
- 4) 257 Westview – Adjustment requested \$199.32 for 44,200 gallons. Motion by Erwin to approve; second by Poe. All yea.
- 5) 7071 Woodward Claypool road – Adjustment requested \$43.74 for 9,700 gallons. Motion by Erwin to approve; second by Neal. All yea.
- 6) 161 Thompson Street – Adjustment requested \$33.33 for 8,500 gallons. Motion by Erwin to approve; second by Neal. All yea.
- 7) 157 First Street – Adjustment requested \$62.70 for 7,800 gallons of water. Motion by Erwin to approve; second by Neal. Five yea, one abstention by Bryant.

The Administrator referred Council to page one of his report. Smith advised the monthly Mayor’s Court Report was also provided in the document reports packet for Council. He discussed continuing to review with outside professionals the streamlining of operations and staff continuing education. He reported employees participating in training the past month include Cindy Wilmot, Certified Mayor’s Court Clerk and Tax Administrator, completing required annual Professional Development at Ashland University; Mike Hanna, Public Works, participating in Ohio EPA Water I Operator Test Study Course at Montgomery County; Chief Kilburn, Sergeant Landrum, Patrolmen Baker, Hawk, Lauffer and Roberts successfully completing annual handgun qualifications and Village Administrator Smith participating in ICMA University seminar on Police Department Accreditation (CALEA) , Miami Valley Risk Management Association’s Annual Employment Law Update course and Grant Writing training with OSU Senior Training Development Specialist, Office of VP for Research.

Smith provided the Zoning Inspector’s report for April, advising five permits were issued including AT&T Right of Way permit for US 22 & 3 for maintenance and ROW for Duke

Energy for gas line installation. The Administrator advised the BZA permit application was revised to meet current codes and will be available on the Village website soon.

The Administrator reported on the Tree Board, advising a January tour of the community with a SW Ohio Arborist identified twenty trees in the public right-of-way as hazards which need to be removed. He stated bids would out in within a week or so. He discussed the Veteran's Administration Memorial Project, its members and a future work on an artist rendering. Smith reported the Historical Society hosted an Ice Cream Social on Saturday and acknowledged there were several members present at the meeting. He also reported on Economic Development, advising the Morrow Vendor Mall's new owner would accept forty vendors, similar to Lebanon and Waynesville. Also, Angelo's has changed their name to Perry's Pizza and 101 Main Street, Country Corner, is open for business Smith reported.

The Administrator stated the Neighborhood Watch Meeting was scheduled for the first Thursday of the month at 7pm. He discussed the Police Report provided which included traffic stops and dispatched calls. Smith advised the 2nd Annual Police Night Out against crime would be August 5, 2014 from 5 to 7pm; snacks will be provided for the kids. He congratulated the Police for doing a good job.

Public Works has been doing Spring clean-up, preparing the parks and making necessary repairs. Also, Smith advised, we have been working with the owner of the Morrow Plaza, relocating meters inside to prevent damage. He reported the Highlawn Avenue and Welch Road paving and striping was completed; the project is scheduled for completion very soon. The Administrator stated future projects will be managed in house; Warren County Engineers Office advised \$7800 remained as a fund balance for use by the Village.

Administrator Smith reported the Auditors completed their work at the Municipal building and the biannual audit was near completion. He thanked Fiscal Officer Kathie Koehler and Financial Advisor Steve Wagner for their efforts. The Administrator also reported the Village was in receipt of a Block Grant Fund of \$55,767 for the Water Plant Improvement Project. He stated an application with the Ohio Department of Natural Resources was submitted in December. Smith reported news would be coming the following month on the Scenic Trail. He also noted several improvements were made to the Village website and asked those present to go to the site and email suggestions to him. The Administrator stated Rumpke's contract was up for renewal in July. Smith thanked Village residents for such a nice turn out. Thompson commented; in his communication with the Village of Waynesville, only one or two residents show up for meetings.

Rod Smith acknowledged the employment anniversary of Public Works Tim Erwin on May 15<sup>th</sup> and the birthday of Fire Chief Fred Lafollette on May 22nd.

### **Ordinances/Resolutions**

Solicitor Kaspar requested Council approve a Resolution for appropriations adjustment for Police equipment submitted by the Fiscal Officer. Revenue statistics, bank reconciliations and listed disbursements were provided to Council in the report packet for May 13, 2014 meeting.

Motion by Erwin to suspend the rules and waive three readings of Resolution #7-14; second by Bryant. Thompson called a Point of Order on Police equipment. Smith advised the Taser needed to be upgraded. All yea. Motion by Erwin to approve Resolution #7-14, adjustments in Police Equipment Fund 2121 of \$1699.95, decrease line 1000-320-431 by \$2,840.79 and increase line 1000-320-390 by \$2,840.79; second by Bryant. All yea. Motion carried.

Kaspar responded to a prior question by Councilwoman Isaacs-Niemesh on the Schuerer Trust Fund food certificates. Kaspar advised there was no problem making a change in distribution of funds. The Mayor stated the Food Pantry would be an option to consider. Smith stated he spoke with the Food Bank and they stated the Food Pantry would benefit if the Village paid for the food and the applicant would receive more food from the Food

Pantry. Thompson stated he was not familiar with the Food Pantry; but stated people are limited as to how many times they can go to the Food Pantry. The Mayor clarified.

Poe discussed the Charter form of government versus Statutory form of government. He explained for Charter government, the voters elect the Mayor who is over department heads. Poe distributed packets. He advised larger communities have Charter forms of government. He stated he wished approval to get it on the ballot in November if Council wished and the voters could decide. Poe commented regarding committees there was some discontent. The Mayor advised with a Charter, there is latitude with taxing structure; you may give incentives to businesses. He stated growth is faster, very powerful; jobs could come to Morrow especially in this economy. He advised some towns are struggling that are Statutory; relief can be given on property tax only. All can vote Mayor Erwin stated. Thompson stated he would like to comment on the process; he reported it requires three votes, one to form a Charter, one to elect commission and another vote to adopt. Thompson added there are two ways to get it started, a 2/3 vote by Council to place it on the ballot or a petition with 10% of signatures of the electorate. He would recommend the use the petition. Poe asked if that was a motion and stated we need to get the process started; the voters have the final say. Tomas Ryan de Heredia asked if the pamphlet was on the internet and if it could be disseminated in another format. Poe stated the six Council members could do that. Isaacs-Niemesh stated she couldn't move forward without more information. Discussion followed. Poe asked; do we need to have a Special Meeting. He stated if we wait another month, we may not be able to get it on the ballot. T. Erwin stated it should not be tabled. Thompson stated there is an idea of, if we don't do it now, we won't do it; he commented this idea has been floating around since 2008 and is not an emergency.

Poe stated the motion would be to explore the process to put the item on the ballot. Thompson stated initiative to form a charter commission is needed. Smith asked for a copy of the brochure Council was reviewing. Kaspar advised an Ordinance was needed to determine if initiative should be placed on the ballot. He read the legal description of self-government. A resident asked if it would be made clear to residents as to what type of businesses would get incentives. Discussion followed.

Motion by Erwin to waive three readings of the Ordinance; second by Poe. By roll call, 3 yea and 3 nay by Bryant, Isaacs-Niemesh and Thompson. Motion failed.

Thompson commented eighty signatures were needed. Kaspar recommended a Special Session for discussion. Poe asked when the meeting would take place; we need 90 days before the election. Discussion followed.

### **Public Forum**

Tomas Ryan de Heredia stated non statutory committees were abolished for the Village in April. He stated he prepared a petition; he stated committee members would be the *go to* person, depending on the issue. These would be short term committees. Ryan de Heredia read the full petition stating there should accountability. Six categories were given to include community outreach and assistance. Each Council member would be responsible. Council would appoint fact finding committees, 2 Village Council members and 2 volunteers present at voting with reports due the Thursday before Council meeting. Neal commented positively on the petition introduced. Thomas Ryan de Heredia stated he would email it to the Mayor to be placed on the website. He left a copy with the Administrator. Discussion followed. He asked if there was any problem with the petition being placed on the website. There was a question raised regarding Parks and Recreation. Thompson stated Parks and Recreation was a Board and still exists.

Dave Ducker stated Welch and Highlawn Avenue is beautiful. He added cars are flying through the intersection. He asked if the portable sign which shows how fast the cars are going could be purchased for the location. Ducker stated in front of his home cars go

through the stop sign at 40 miles per hour. Smith advised options for signage would be reviewed. Ducker stated patrol has been increased. Ducker stated it happens all day. The Mayor advised 380 & 73 has LED lights. Smith stated we may be able to borrow a sign to see how well it works. Discussion followed.

A business owner asked if there was community watch in the area and recommended copying down the plate numbers. Smith stated in Waynesville, we partnered with the schools for signage. Discussion followed.

Another citizen stated the road was bad on Jessica Suzanne in the Woodlands. Smith stated the plat is not dedicated at this time. She advised we are \$23K negative on fees from homeowners and stated Jim Allen resigned. The Mayor stated he has shown the land to prospective buyers. With separate corporations, it is hard to market. The Mayor stated the roads won't make it. Poe asked about the Bond. Kaspar advised the Village could get the bond released on behalf of the owner. The resident stated due to the condition of the road and empty lots for sale, costs are down \$6K; no pool is coming and \$357 per year in homeowner association fees are required. Towne Properties is putting liens on homes. She stated home owner fees should be in escrow. The Mayor advised he would discuss it further with her.

The Mayor stated to Mr. Gilbert, he checked on the rates and sewer fees went up. Gilbert said the Village is double charging. The Mayor stated there must be a minimum amount of water charged. One citizen stated rates are cheaper than other communities and another commented all towns have minimum charges. Isaac Niemesh asked if the 6,000 gallons could be changed or lowered. Gilbert stated the majority of the residents are on fixed incomes. The Mayor stated water can't be free; if we don't raise the rates, we won't have water. Gilbert asked what happened to Western Water buying water from us. T. Erwin stated we tabled it some time ago. Poe asked Gilbert what was suggested.

Isaacs-Niemesh thanked the Police and Fire Department for their service. She used their service recently; she was appreciative. She inquired about the mower purchase. Kaspar responded discussing separation of power, Legislative Authority, Executive Branch, and Chief Administrator Powers under Ohio Revised Code 7. Kaspar advised it was his opinion there are certain expenditures under \$45K that may be made. Bryant stated they could buy bubble gum if they wished. The Mayor commented. Bryant stated the mower was 20 years old. Kaspar commented on being good stewards; checks and balances are in place, fundamentally statutory for branch government. The Mayor reiterated we are a statutory government. Smith advised August 6 at 4pm was the last day to pass local issues.

Bryant reported there are 15 street lights are out on Main Street; also there is a rental on Virginia Avenue where the grass is very high. Smith stated he met with the Zoning Administrator earlier in the day regarding the property and he would be following up on it. The Mayor commented. Kaspar suggested Title 53, rental registration. Discussion followed.

The Mayor asked Poe if he wanted a Special Meeting; when can we have a meeting. Bryant commented on the packet. Thompson discussed Separation of Power. He stated last December one member's term expired and someone was appointed to Tree Board according to the web site. He stated an Ordinance is in place. Discussion followed.

### **Adjournment**

Motion by Bryant to adjourn; second by Erwin. All yea.