

Village of Windham, Ohio

Minutes of the Regular Council Meeting

Held October 16, 2007

At 7:00 PM, the Honorable Mayor C. James Moore called the meeting to order and led in the Pledge of Allegiance.

Roll Call: Rachel Barrett – present, Scott Garrett – present,
 Robert Donham – present, Jodi Minotti – present,
 Marian Garrett – present, Phil Snyder – present

Also present, Village Solicitor Mark Manlove, Village Administrator Maurice Hankins, Police Chief Ed Perdian, Kelly Meszaros, Marion Quiggle, Angie McManus.

The minutes of the September 18, 2007 Regular Council Meeting were reviewed. Rachel Barrett made a motion to approve the minutes. The motion was seconded by Scott Garrett. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Village Fiscal Officer reports, Lloyd Billman. The Fiscal Officer presented the expenditures for the month of September including checks, charges, etc of \$149,942.79 and the September Bank Reconciliation with an all funds reconciled balance of \$718,091.68 for the month. Check numbers 19072 through 19155 and 19157 through 19177 and 19179 through 19244 from the Primary Checking Account were paid during September. Check numbers 19156 and 19178 were voided from the Primary Checking Account during September. Also the Fiscal Officer announced a Local Government Services workshop on Monday, October 29th in Hiram. The Fiscal Officer stated that Local Government Services would be coming in on Monday October 22nd to finish our fund balances to adjust in the Uniform Accounting Network (UAN).

Village Council President, Scott Garrett Scott said on behalf of Council he would like to tip his hat to Maurice for all of the work he has put in on the office renovations. He has put in a tremendous amount of work and Scott wanted to extend a big warm felt thanks on behalf of council for all of the effort he has put in. The office will move on Thursday, October 25th and the open house is set for Saturday, October 27th from 10 AM to 2 PM. Scott also stated that as of January 1, 2008 we will have two openings on Council and nobody has applied to fill those openings. He asked if either of the Mayoral candidates would be interested in serving on Council should they not be elected as Mayor. Rob Donham said he would rather concentrate on the Mayor's position but would not rule out the possibility of accepting an appointment to serve on Council. Mayor Jim Moore said he would rule it out and has served 15 ½ years. He intends to get elected as Mayor. He said he wanted to put to rest a rumor circulating that he would object to Rob Donham being appointed to Council if Rob lost the election. Mayor Moore said he does not object to Rob Donham serving on Council. The Mayor has no veto power anyway and that decision would be up to council. Scott said after the election, he would determine how many open seats are available and would advertise for interested parties to submit their resumes.

Rachel Barrett presented the Dispatchers, Police, Fire and Rescue Squad (EMS) report for the month of September 2007.

Mayor Moore presented the Mayor's report to Council. Mayor Moore stated that our representative for the Bi-Centennial Planning Committee, Kelly Meszaros has completed for Council's review the Village of Windham pictures that will go on the flag for the road show. Kelly will have until October 24th to receive any comments or suggestions from Council members.

Mayor Moore presented a letter from the Mayor and Administrator to USDA-RD concerning the Village use of funds left over from the new Sewer Line Construction with three (3) quotes on Skid-Steers and the choice of the New Holland L185 Skid Steer for \$34,605.02. New Resolution No. R-2007-27 is ready for Council's approval for a record of this purchase. Maurice Hankins clarified the uses for the Skid-Steer and that we have a three year warranty with the New Holland choice, better visibility and easier entry and exit than the others. Marian moved to adopt the resolution for the purchase of the New Holland L185 Skid Steer. Rachel seconded the motion. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

October 11, 2007, Mayor received a letter and copies of Settlement Agreement and Release between Village Resident Paul A. Dankavice and the Village. This Settlement Agreement is made simply as a compromise of disputed claim. As part of the agreement the parties and their attorneys shall not make any public comment. The parties can acknowledge that the matter has been resolved to the mutual satisfaction of the parties or words to that effect. With this settlement, that concludes all lawsuits which were pending against the Village.

Letter to Mayor from Portage County Health Department confirming the dates and timing for the Flu and Pneumonia Shots at the Fire Station. They are November 15, 2007 from 10:00 AM to 11:30 AM and November 29, 2007 from 5:00 PM to 6:30 PM.

Trick or Treat for the Village and Township is set for October 29, 2007 from 5:00 to 7:00 PM. The Council customarily approves this. Phil moved and Scott seconded the motion. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

The Fire Department made application to use the Community Building on October 27, 2007 for a kids Halloween Party. This has been approved at no charge under the Ordinance on use of the Community Building.

The General Fund Balance as of September 30th this year 2007 is \$250,914.95. Last year, September 30, 2006 the balance was \$95,903.58 which is an increase in one year of \$155,011.37 or 162%. Phil Snyder said we really appreciate the job that Lori and Lloyd have been doing.

There will be a Fall Cleanup on November 10th behind the Water Plant in the Village Park Parking Lot. There will be Dumpsters there from Portage County Recycling for Paint, Tires, old computers, appliances with Freon, Batteries and Propane Tanks. Maurice will send one Village employee and our backhoe. Phil made a motion to approve and Scott seconded the motion. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

There were no prior requests of guests to speak.

Finance Committee Report by Scott Garrett. After presenting the information, Scott made a motion to approve the Fiscal Officer's Expenditures for September in the amount of \$149,942.79 in checks and charges, etc. Check numbers 19072 through 19155, 19157 through 19177 and 19179 through 19244 from the Primary Checking Account were paid during September. Check numbers 19156 and 19178 were voided during September from the Primary Checking Account. The motion was seconded by Rachel. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Scott then made a motion to approve the September 2007 Bank Reconciliation with an all funds reconciled balance of \$718,091.68. This was seconded by Marian. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Scott made a motion to approve the Fiscal Officer attending the LGS Workshop on October 29, 2007 at Hiram. This was seconded by Phil. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none.

Safety / Personnel / Rules Committee by Rachel Barrett. Rachel gave the committee report for the October safety meeting.

A New Resolution No. R-2007-28 to employ Tim Campbell, Attorney at Law to replace John Latchney to represent the Village with respect to an appeal of an award of Workers Compensation claim at a fee of \$125.00 per hour plus court costs advanced. A motion to adopt Resolution No. R-2007-28 was made by Phil and seconded by Scott. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none.

Service Committees: (Utilities, Street & Sidewalks, Housing Code, Buildings & Properties)
Utilities

Utilities report by Scott Garrett. The Village Administrator Maurice Hankins and Mayor Moore have interviewed Donnie Dunavant for the Position of Part-Time Waste Water Superintendent at an annual salary of \$35,000.00 for 32 hours per week with a starting date of December 1, 2007. Scott made a motion for approval and Phil seconded the motion. The Ordinance to authorize paying for a Part-Time Waste Water Superintendent will need to be approved during the November Council Meeting. The motion and second were for approving the person for the Part-Time Waste Water Superintendent position. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none.

Streets and Sidewalks report by Jodi Minotti. Jodi asked if we had a street sweeper at the present time and Maurice responded that with the purchase of the Skid-Steer we will have that capability. She then questioned the responsibility of the home owner for their sidewalks. Maurice said that the homeowner was responsible for their own sidewalks. Bob explained that all new construction was required to have sidewalks with disability access. Jodi asked what we could do about people blowing leaves onto the streets. Mark said that he didn't know if there was an ordinance covering such. Police Chief Perdian will look into what can be done. The Community Hall (Community Center) will be closed after the end of October until next spring.

Housing Rental License Code by Phil Snyder. The third reading and vote on Ordinance No. O-2007-13 adding section 1341.09 (d) of the Codified Ordinance establishing an increase in the re-inspection fee for Landlords notice of Violations. Motion to adopt was made by Phil and second by Scott. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none.

A second reading of New Ordinance No. O-2007-14 amending 1341.12 (b) (1) of the Codified Ordinances to increase the fee for filing an appeal with the Housing Appeals Board from \$50.00 to \$100.00.

A second reading of New Ordinance No. O-2007-15 adding Section 1341.03 (d) (3) of the Codified Ordinance of the Village to require all Trash containers be placed out for collection a maximum of 24 hours.

A New Resolution No. R-2007-29 declaring that four (4) Buildings are declared a blight due to Vacant and Dilapidated Structures and asking the Portage County Commissioners utilize the Community Development Block Grants to assist in the removal of these buildings located at 9591 and 9510 Community Road and 9631 and 9636 Brook Court. Motion to adopt the resolution was made by Phil and seconded by Rob Donham. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. The motion carried.

Tom Brett asked if the appeals committee was in place and was told that that had been voted upon at our last Council Meeting. Several certified letters have been sent out with fairly good response..

Village Buildings and Properties by Marian Garrett. Marian said we are delighted with the renovations Maurice has been doing. We will be encouraging him to just do his regular job for a little bit. We don't want to burn him out. The request for capital improvements grant is in process with Kathleen Chandler, and the Mayor said he has discussed it with her as well.

Planning and Zoning Commission by Phil Snyder. Phil said they met and had a guest Dale Belknap who had a request to build a new building which did not meet the size requirements. An appeals meeting has been set for November 5, 2007. There is interest in adding five billboards along the turnpike. Dick Sands has submitted his resignation to the commission and his resignation has been accepted.

Parks and Recreations by Phil Snyder. No meeting was held due to lack of a quorum.

Bicentennial Committee. Kelly said she was not able to attend the last meeting however they are progressing and getting some suggestions for a birthday party in June on a Monday evening with a parade and fireworks and a bicentennial cookbook.

Economic Development and Long Range Planning by Jodi Minotti. – No report.

Tax Incentive Review Board by Marian Garrett & Scott Garrett. – No report.

Records Commission by Scott Garrett. – No report.

Village Solicitor report by Mark Manlove. – No report.

Guest Recognition. A question was asked by Kelly about how to enforce the ordinance on trash containers. The Mayor said that some trash companies have the address on the container. .

Chief Ed Perdian said we have addressed the problem of walking in the roadway. He also said that we will be hosting first responder training program at East Elementary School on October 27th. Several smaller departments will be there.

Rachel asked for clarification about the Records Training and it was explained that all elected officials and appointed officials who have been appointed to an elected position have to have training or be represented by a designee who has been explicitly spelled out in a resolution in advance before the end of the year.

Rachel moved and Marian seconded the motion for adjournment and with no dissent the meeting was closed at 8:23 PM.

Respectfully submitted,

Attest

Lloyd C. Billman, Clerk of Council

C. James Moore, Mayor