

Village of Windham, Ohio
Minutes of the Regular Council Meeting

Held October 28, 2008

At 7:00 PM, the Honorable Mayor Robert W. Donham II called the meeting to order and led in the Pledge of Allegiance.

Roll Call: Rachel Barrett – present, Scott Garrett – present,
 Kelly Meszaros – present, Linda Rininger – present,
 Randy Slusher – present, Phil Snyder – present

Also present, Village Solicitor Mark Manlove, Police Chief Edward Perdian, Fire Chief Clair Simpson, Village Administrator Maurice Hankins, C. James Moore, Bruce Rininger, Denise Bly, Pat Schaefer, Janet Croiser, Marsha Byich, Sgt. Eric Breiding, and Richard Britton

The minutes of the September 23, 2008 Regular Council Meeting was reviewed. Phil Snyder made a motion to approve the minutes. The motion was seconded by Randy Slusher. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Village Fiscal Officer reports, Lloyd Billman. The Fiscal Officer stated that the Income Tax Revenue for the year ending September 2008 was \$560,965.04. Of this total, \$155,098.74 is due to estimated payments from declarations for tax year 2008 taxes which are revenue for calendar 2009.

The Fiscal Officer presented the expenditures for the month of September including checks, charges, etc of \$167,907.53. Check numbers 21128 through 21128 were paid from the Primary Checking Account during September. Check numbers 1027 and 1028 were paid from the USDA Grant Checking Account during September. There were no checks voided during the month of September. This cleans up the USDA Grant Checking Account with the balance to be transferred per resolution to be approved later in this meeting.

The Fiscal Officer also presented the September Bank Reconciliation with an all funds reconciled balance of \$707,322.68 for the month of September.

The post audit meeting for calendar years 2005 and 2006 will be held on Wednesday, November 5, 2008 at 1:00 P.M in Council Chambers. Invited to attend are all Council Members, Mayor, Village Administrator, Solicitor, Mrs. Marion Garrett who was Council's Liaison for that time period, and the Fiscal Officer. An advance copy of each years report is available for review in the Fiscal Officers office, no copies are to be made nor are the reports to leave the Fiscal Officers office per the State Auditor. The report will not be public until released by the State Auditor's office.

Village Council President, Phil Snyder Mr. Snyder said he would like to encourage everyone to vote. It is a very important election.

Dispatchers, Police, Fire and Rescue Squad (EMS) reports for September 2008 by Phil Snyder.

Phil gave the monthly reports relating to both Police and Fire Departments. Mrs. Meszaros said she read in the Record Courier on October 19, 2008 that two of our officers were recognized,

Officer Homer Hood and Officer Jason Lamtman by Mothers Against Drunk Driving. We should be very proud of our officers. The Mayor said we are getting close to double digit complaints for the month.

Mayor's Communication and Correspondence

Mayor Donham said he has no specific reports for the month.

Prior requests of guests to speak: None.

Finance Committee Report by Linda Rininger. Mrs. Rininger read the Fiscal Officer's expenditures for the month of September 2008 of \$169,907.53 in checks, charges, etc. with check numbers 21128 through 21278 paid from Primary Checking Account during September. Check numbers 1027 and 1028 were paid from the USDA Grant Checking Account during September. There were no checks voided during September 2008. Mr. Garrett made a motion to approve and Mr. Snyder seconded the motion. Ayes: Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: Mrs. Barrett, Mrs. Rininger. Motion carried.

Mrs. Rininger read the Fiscal Officers September 2008 Bank Reconciliation with an all funds reconciled balance of \$707,322.68 and the following monthly reports for the month ending September 30, 2008: Fund Summary, Appropriation Summary, Revenue Summary, Payment Register, Charge Register, Expenditure Summary, Cash Summary by Fund and the following year-to-date reports through September 30, 2008: Cash Summary by Fund, Comparison of Budget versus Actual Receipts, Comparison of Disbursements and Encumbrances. Mrs. Meszaros made the motion to approve and Mr. Slusher seconded the motion. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Ordinance O-2008-20 was read by Mrs. Rininger: BEING AN ORDINANCE AUTHORIZING TRANSFERS AND APPROPRIATIONS FOR THE VILLAGE OF WINDHAM AS SET FORTH BELOW AND DECLARING AN EMERGENCY. Mr. Snyder made a motion to suspend the rules which was seconded by Mr. Garrett. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mr. Snyder then made a motion to adopt Ordinance O-2008-20 which was seconded by Mr. Garrett. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mrs. Rininger read Ordinance O-2008-21 AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE PERMANENT APPROPRIATIONS FOR 2008 FOR THE VILLAGE OF WINDHAM, CALLED FOR IN THAT BUDGET, AND DECLARING AN EMERGENCY. Mr. Snyder made a motion to suspend the rules which was seconded by Mrs. Meszaros. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mr. Snyder then made a motion to adopt Ordinance O-2008-20 which was seconded by Mr. Garrett. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mrs. Rininger read Resolution R-2008-72 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CREATE THE FOLLOWING THEN AND NOW PURCHASE ORDERS AS LISTED BELOW. Mr. Snyder made a motion adopt the Resolution which was seconded by Mr. Snyder. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Resolution R-2008-73 was read by Mrs. Rininger A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO TRANSFER \$19,351.00 FROM THE RLF BANK ACCOUNT TO PRIMARY CHECKING ACCOUNT AND DECLARING AN EMERGENCY. After some discussion the Resolution was tabled. It is felt that this is a repeat of a previous Resolution which was passed during August. The Fiscal Officer will look into this.

Resolution R-2008-74 was read by Mrs. Rininger A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO MAKE THE FOLLOWING TRANSFER BETWEEN THE EAST CENTER STREET FUND AND THE SEWER OPERATING FUND AND DECLARING AN EMERGENCY. Mr. Garrett made a motion to adopt the resolution which was seconded by Mr. Snyder. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mrs. Rininger read Resolution R-2008-75 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO MAKE THE FOLLOWING TRANSFERS BETWEEN THE WATER AND SEWER OPERATING FUNDS, RESPECTIVELY, TO THEIR RESPECTIVE DEBT SERVICE RESERVE FUNDS TO MEET CALENDAR 2008 DEBT SERVICE REQUIREMENTS DURING 2008 REPEALING RESOLUTION R-2008-40 AND DECLARING AN EMERGENCY. Mr. Garrett made a motion adopt the resolution which was seconded by Mr. Snyder. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mrs. Rininger read Resolution R-2008-76 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO MAKE THE FOLLOWING BANK ACCOUNT TRANSFER BETWEEN THE WATER DEBT SERVICE RESERVE SAVINGS ACCOUNT AND THE PRIMARY CHECKING ACCOUNT AND DECLARING AN EMERGENCY. A motion to adopt the resolution was made by Mr. Garrett and seconded by Mr. Snyder. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Resolution R-2008-77 was read by Mrs. Rininger A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO MAKE THE FOLLOWING TRANSFER BETWEEN THE REVOLVING LOAN FUND AND THE STREET CONSTRUCTION MAINTENANCE AND REPAIR FUND AND DECLARING AN EMERGENCY. Motion to adopt the resolution was made by Mr. Snyder and seconded by Mr. Garrett. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Resolution R-2008-78 was read by Mrs. Rininger. A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO ESTABLISH AN AGENCY FUND NUMBER 9101 FOR THE PURPOSE OF UNCLAIMED MONIES AND DECLARING AN EMERGENCY. Motion to adopt the resolution was made by Mr. Snyder and seconded by Mrs. Meszaros. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

.Safety / Personnel / Rules Committee by Phil Snyder. Mr. Snyder read Resolution R-2008-80 A RESOLUTION BY THE COUNCIL OF THE VILLAGE OF WINDHAM AUTHORIZING THE VILLAGE FISCAL OFFICER TO PREPARE NOVEMBER 28, 2008 PAYROLL ON NOVEMBER 26, 2008 DUE TO THE THANKSGIVING HOLIDAY AND DECLARING AN EMERGENCY. Motion to adopt the resolution was made by Mrs. Meszaros

and seconded by Mr. Garrett. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mr. Snyder then read Resolution R-2008-81 A RESOLUTION AUTHORIZING THE DONATION OF THE OLD STANDING SAFE FROM THE POLICE DEPARTMENT THAT IS NO LONGER USED TO THE VILLAGE OF WINDHAM HISTORICAL SOCIETY AND DECLARING AN EMERGENCY. Mrs. Rininger asked if this had already happened and the Mayor responded that the Historical Society has the safe but it is not theirs unless we donate it to them so if we decide not to then we will bring it back. Mr. Snyder made a motion to adopt the resolution which was seconded by Mr. Garrett. Ayes: Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: Mrs. Barrett, Mrs. Rininger. Motion carried.

Resolution R-2008-82 was read by Mr. Snyder. A RESOLUTION ACCEPTING THE HIGH BID OF \$1125.00 FOR THE POLICE DEPT 2000 CROWN VICTORIA CRUISER FROM ROBERT LEE BROWN AND APPROVING THE PAYMENT OF \$125.00 FOR ADVERTISING COSTS TO MICHAEL DYE AND DECLARING AN EMERGENCY. The Mayor said that this is the decommissioned cruiser which was replaced by the new cruiser and which was sold at auction for that price. Mr. Snyder made a motion to adopt the resolution which was seconded by Mr. Garrett. Ayes: Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: Mrs. Barrett, Mrs. Rininger. Motion carried.

Mr. Snyder read Resolution R-2008-83 A RESOLUTION APPROVING THE HIRING OF SHERYL PREM AS PART-TIME POLICE DISPATCHER FOR THE VILLAGE OF WINDHAM AT A RATE AS SET FORTH IN THE VILLAGE PAY ORDINANCE EFFECTIVE SEPTEMBER 26, 2008 AND DECLARING AN EMERGENCY. Mr. Snyder made a motion to adopt which was seconded by Mr. Slusher. Ayes: Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: Mrs. Barrett, Mrs. Rininger. Motion carried.

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

Utilities report by Scott Garrett. Mr. Garrett said the minutes were passed out. He said that a letter to the landlords is being worked on to be sent out next year.

Streets and Sidewalks by Randy Slusher. Mr. Slusher said he has nothing at this time. Village Administrator Maurice Hankins said that both snow plows are ready as of today.

Housing Rental License Code by Phil Snyder. Mr. Snyder said he has nothing at this time.

Village Buildings and Properties by Rachel Barrett. Mrs. Barrett said she has nothing to report at this time.

Planning and Zoning Commission by Kelly Meszaros. No meeting was held.

Parks and Recreations by Kelly Meszaros. Mrs. Meszaros read resolution R-2008-79 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO ESTABLISH A PARKS AND RECREATION FUND NUMBER 2041 FOR THE PURPOSE OF PROVIDING FOR AND MAINTAINING PARKS AND DECLARING AN EMERGENCY. Mayor Donham said that this is a resolution at the request of the State Auditor. The Mayor said that this probably needs to be tabled until next month. President Snyder gave some additional input on this and how the Village provides money for parks. The Mayor is still trying to find the section in the Ohio Revised Code concerning Parks and Recreation Board. After some discussion it was decided to table the resolution.

Bicentennial Committee by Kelly Meszaros Mrs. Meszaros said we are in the home stretch with a Parade and the time capsule with a reception at the Ravenna Historical Society as the only items scheduled and are in December.

Economic Development and Long Range Planning by Randy Slusher – Nothing to report.

Village Solicitor report by Mark Manlove. – Mr. Manlove said he had nothing at this time.

Guest Recognition. Pat Schaeffer asked what the status is of the East Elementary School. The Mayor responded that this is still an ongoing endeavor and the reason East Elementary was not used for voting was that the Handicapped Accessible switch for the door is inoperable. There are new ADA (American Disabilities Act) requirements for voting this year. He also said we would have police officers available to direct traffic. Mrs. Barrett said she had discussed this with the Board of Elections, and they said they had no say in this but the final choice was made by the State Board of Elections rather than at our local Board of Elections level. Additional discussion about the parking and traffic flow was also brought up.

Maurice said that the construction phase on the Maple Grove sidewalks started yesterday. It was rained out today. The County Commissioners awarded a \$36,000 contract for the first two thousand feet. We had enough money left over \$22,700 that we will be able to do 1,317 additional feet of sidewalk. That additional sidewalk will be from the Hardware toward the turnpike on the Hardware side of the road. The next area will be on the West and East side on Community between Greenmeadow and Cloverleaf. Then the rest of the footage will be used on the Maple Grove East Side.

Mr. Richard Britton then asked if there is a separate agreement when you go on personal property or if a standard agreement is used. The Mayor said that he doesn't have a standardized agreement; it is only on a case by case basis. Mr. Britton said he signed an agreement and was told that it was a standard agreement, but he did not receive a copy of it and that Mr. Kevin Knight said he would get a copy and give it to him. The Village will fix the swale damage but cannot fix the wall because it cannot be proven who is at fault.

There being nothing further, Mr. Snyder made a motion to adjourn which was seconded by Mr. Garrett. All being in agreement the Council meeting was closed at 8:09 P.M.

Respectfully submitted,

Attest

Lloyd C. Billman, Clerk of Council

Robert W. Donham II, Mayor