

RESOLUTION R-2010-30

A RESOLUTION ACKNOWLEDGING TENANTS OF PROPERTIES OWNED BY THE VILLAGE OF WINDHAM AND ESTABLISHING RENTAL ARRANGEMENTS FOR THOSE TENANTS AND DECLARING AN EMERGENCY

WHEREAS, as part of an economic development project within the Village of Windham, the Village acquired various buildings and properties during the month of June, 2010; and

WHEREAS, of all the buildings acquired by the Village of Windham, five premises are inhabited by tenants; and

WHEREAS, the Village of Windham has made an overture to the prior owners to determine what leasing arrangements exist with respect to the five inhabited properties, and in response to that overture have been informed that there are no formal written leases; and

WHEREAS, the agreements through which the Village acquired the properties identified herein did not set forth terms of the rent and amounts which may be owed to the Village for utilities, and for that reason the amounts owed to the Village, if any, for rents and utilities have not be disclosed and are not readily identifiable; and

WHEREAS, the Council of the Village of Windham desires to establish the terms and conditions under which various individuals may continue to reside, on a month to month basis only, in property now owned by the Village of Windham.

NOW THEREFORE BE IT RESOLVED, by the Council of the Village of Windham, Portage County, Ohio, two thirds (2/3rds) or more of the members thereto concurring that:

SECTION 1: Effective July 1, 2010, the tenant is permitted to reside in the property located at 9717 Grove Court, Unit A, on a month-to-month basis, in exchange for rent payment in the amount of \$300.00 per month, which \$300.00 per month charge includes water and sewer charges, which water and sewer charges are also on a monthly basis for the period commencing on June 1, 2010.

SECTION 2: Effective July 1, 2010, the tenants are permitted to reside in the property located at 9132 North Main, Unit G, on a month-to-month basis, in exchange for rent payment in the amount of \$450.00 per month, which \$450.00 per month charge includes water and sewer charges, which water and sewer charges are also on a monthly basis but for the period commencing on June 1, 2010.

SECTION 3: Effective July 1, 2010, the tenant is permitted to reside in the property located at 9581 Greenmeadow, Unit A, on a month-to-month basis, in exchange for rent payment in the amount of \$400.00 per month, which \$400.00 per month charge includes water and sewer charges, which water and sewer charges are also on a monthly basis but for the period commencing on June 1, 2010.

SECTION 4: Effective July 1, 2010, the tenants are permitted to reside in the property located at 9132 North Main Street, Unit B, on a month-to-month basis, in exchange for rent payment in the amount of \$450.00 per month, which \$450.00 per month charge includes water and sewer charges, which water and sewer charges are also on a monthly basis but for the period commencing on June 1, 2010.

SECTION 5: Effective July 1, 2010, the tenant is permitted to reside in the property located at 9053 Maple Grove, Units C & D, on a month-to-month basis, in exchange for rent payment in the amount of \$800.00 per month, which \$800.00 per month charge includes water and sewer charges, which water and sewer charges are also on a monthly basis but for the period commencing on June 1, 2010.

SECTION 6: It is the direction of this Council that the water and sewer utility service and rates set forth in this Resolution are to be consistent with the rates for water and sewer otherwise previously established by this Council, and for that reason the amounts paid in rent shall first be applied to water and or sewer funds in conformity with the rate schedule of current effect, and the balance shall be applied to the General Fund.

SECTION 7: All rent owed to the Village for the period prior to July 1, 2010, if any, and all utilities owed to the Village for the period prior to June 1, 2010, if any, for the properties called out and identified in SECTIONS 1 through 5 of this Resolution are forgiven.

SECTION 8: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including §121.22 of the Revised Code of the State of Ohio.

SECTION 9: This Resolution is declared to be an emergency measure becoming immediately effective upon passage by Council and approval by the Mayor, in order to advance the health, safety and welfare of the community, and to establish terms and conditions for rent for tenants who are currently residing in the property owned by the Village of Windham.

PASSED IN COUNCIL this 29<sup>th</sup> day of July, 2010.

Vote of Council:     Ayes: Mr. Snyder, Mrs. Barrett, Mr. Garrett, Mrs. Meszaros  
                          Nays: Mrs. Miranda, Mrs. Rininger

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor Robert Donham, II

\_\_\_\_\_  
Fiscal Officer, Lloyd Billman

Approved as to form:

\_\_\_\_\_  
Solicitor, Thomas Reitz