

Village of Windham, Ohio

Minutes of the Regular Council Meeting

Held August 21, 2006

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, Jason DeBolt – absent
 Sonya Edwards – present, Marian Garrett – present
 Scott Garrett – present, Jodi Minotti – present

Also present, Village Solicitor Mark Manlove and Village Administrator Kevin Knight.

The minutes of the July 17, 2006 Regular Council Meeting were reviewed. Marian Garrett made a motion to accept. Seconded by Sonya Edwards. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: None. Motion carried.

Lloyd Billman presented the Village Fiscal Officer's Financial reports for July 2006 as well as the list of charges and checks for June and July. The total for June was \$176,610.80 and for July \$604,916.79. The East Center Street Sewer Project expenses were significant during July.

Village Council President Scott Garrett had no report.

Rachel Barrett gave the Dispatchers, Police, Fire and Rescue Squad (EMS) reports for the month of July, 2006.

Mayor Moore presented the Mayor's communications. He stated that the Mayors Fund receipts for August was \$102.75. A report of the office furniture donated from Portage Woods was given. Rachel made a motion and Sonya seconded that the office furniture be approved and a letter of thanks sent. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: None. Motion carried.

A donation of \$50.00 from the John Thomas family for help to defray the cost of vandalism was received. The motion was given by Jodi Minotti and seconded by Scott Garrett. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: None. Motion carried.

A letter from Superintendent Ron Miemiec notifying us of the appointment of Windham Board of Education members Bill Hickman and Terrie Altieri to the Windham Park Board. Sonya stated that they are implementing a new landlords association or restart the old one to help with problems in that area.

Chief DeSalvo has requested a three month unpaid leave of absence. The date is to coincide with the expiration of sick leave. Marian moved and Jodi seconded the three month unpaid leave of absence. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: None. Motion carried.

Part time officers hours and pay report was given. Mayor Moore asked the Safety Personnel and Rules Committee to consider a Landlords Nuisance Ordinance. Since the meeting with Portage County commissioners the police call activity has slowed down. The Tire and Appliance collection from Portage County Solid Waste Management District letter was presented for Saturday September 30, 2006 from 8:00 Am to 12:00 noon.

There were no prior requests of guests to speak.

Finance Committee report by Marian Garrett. A motion was made by Marian to approve the Fiscal Officer attending a one day continuing education seminar sponsored by the State Auditor's Office on September 18, 2006 in Hudson, Ohio. Seconded by Scott. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

The state of Ohio has reduced their income tax rate an additional 8.4% effective October 1, 2006.

A motion was made by Marian and seconded by Scott to suspend the rules on Ordinance # O-2006-16, Property Tax Levy in the amount of 4.15 Mills as a police levy which will generate \$100,000 per year for five years. This can only be used as police equipment and full time police officer salaries. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: None. Motion carried.

A motion to adopt ordinance O-2006-16 to place the 4.15% Tax Levy on the ballot for the November election was made by Marian and seconded by Scott. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

Marian made a motion that the rules be suspended on ordinance O-2006-17 which provides for 4.15% Property Tax Levy. The second was given by Scott. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

Marian made a motion to adopt the ordinance O-2006-17 which was seconded by Scott. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: None.

Marian made a motion to suspend the rules on ordinance O-2006-18 to change the appointee of the Income Tax Board of Review from Solicitor to Mayor. Seconded by Rachel. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

Marian then made a motion to adopt ordinance O-2006-18 which was seconded by Rachel. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

Marian stated that the list is shorter on Bank Reconciliation with a reconciled balance of \$632,212.17 and moved for council to accept the Reconciliation as presented which was seconded by Sonya. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

The bills for June totaling \$176,610.86 and July totaling \$604,916.79 were moved to be approved for payment by Marian. Second by Rachel. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

The inside millage of 10 mills must be accepted as presented by the Portage County budget committee. Marian made a motion to accept the inside millage which was seconded by Sonya. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

Marian made a motion to approve the amended certificate of anticipated revenue at \$4,090,302.27 due to anticipated income tax collections and E. Center St. Sewer Project. The second was given by Sonya. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

Marian moved to approve amended appropriations not to exceed \$4,090,302.27 which was seconded by Scott. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

A commitment was made with the Bureau of Workers Compensation dated July 28, 2006 with a down payment of \$5000 and monthly payments of \$6003.47 from August 20, 2006 through July 20, 2007. Marian moved the acceptance of the commitment which was seconded by Scott. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

Safety / Personnel / Rules (SPR) Committee report was given by Rachel Barrett. They will be reviewing the nuisance ordinance.

Service Committee

Utilities report by Scott Garrett. Utilities clerk Carol Wilson will be leaving the beginning of next year and has requested part time status. She will assist in the training of the new utilities clerk Alicia McCauley. Scott made the motion to change Carol's status from full time to part time effective August 27th. This was seconded by Sonya. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

Scott made a motion to accept Alicia as full time utilities clerk at \$8.50 per hour effective August 27th. Sonya seconded the motion. The probationary period is 90 days. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

Scott brought up an interest in using RLF funds for some of the projects needing capital improvement. One of the first is a culvert owned by the Village which is crushed. This is located at 9304 N. Main St and extends to Wolfe Road. Scott made a motion and Sonya seconded that we approve using RLF funds to replace the culvert which is broken. Scott made a motion that the original motion be tabled and Sonya seconded that motion. This would give time for the residences to be contacted.

A discussion followed about the possibility that water and sewer be extended to the old Robino Industrial site contingent upon annexation by the Village. Kevin gave a report about the E. Center Street Sewer Project with substantial completion set for September 15th.

Streets and Sidewalks – Sonya Edwards, Chair – Mark Manlove wrote a letter to Ivan Ward about drainage problems on Ivan Ward's property.

Mark Manlove discussed the status of the vacating of Snow Road and it would probably not be in the best interest of the Village.

Public Housing Code – Jason DeBolt, Chair – nothing to report. Sonya color coded a map which gives an indication of who owns which rental property.

Village Buildings and Properties – Jodi Minotti, Chair – request of school teacher Danielle Brkich to use the Community Building Foyer for Student "book Buddies" program during September and October for an hour per day. This a program for high school kids to interact with grade school kids. Jodi moved approval and Scott seconded for this use of the Community Building Foyer. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

The use of the Windham Board of Education property by the Community Building for the purpose of parking for the Community Building events was discussed. A quote was received in the amount of \$15,490 to remove topsoil and put gravel down for the 115' by 175' area.

Marian made a motion and Scott seconded that council meet with the school board to establish an agreement utilizing the school property and creating the parking lot. Ayes: S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: R. Barrett. Motion carried.

There is no quote as yet to tear down the maintenance building behind Council Chambers.

There was a discussion about conflicting Ordinances 1544 and O-2006-3 relative to Special Duty pay to officers for service during Community Building events. There are two separate ordinances covering special duty pay. Mark said they cover two different situations; 1544 is specific to the Community Building and O-2006-3 is for school, sports and traffic control, etc. It was decided to discuss this at the next service committee meeting in September.

Planning and Zoning Commission – Jason DeBolt, Chair – no report. Waiting for Cortland Bank to present their drainage requirements.

Parks and Recreation – Jodi Minotti The old playground equipment has been removed.

Economic Development and Long Range Planning – Scott Garrett, Chair – No report.

Tax Incentive Review Board – Marian stated that we needed to re-approve the Harbison Walker recommendation for another year. Marian moved and Scott seconded. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Motion carried.

Records Commission – No report.

Solicitor – No report.

Other Business – None.

Guest recognition - Nancy Packard of the Windham Public Library asked council to consider purchasing a bike rack for use of students while using the library. There have been bicycles disappearing. This will be referred to the appropriate committee.

John Thomas, an independent candidate for Portage County Commissioner, pledged his support of the Village of Windham.

Cpl. James Mitchell stated that it is a little premature to say that there is a decrease in activity in the projects since the Mayor went to the County Commissioners.

Jodi Minotti expressed her appreciation for the Windham Police Department and their response to the party at 2:00 AM last Saturday morning on Horn Road and the four wheel activity driving without lights.

Paul Blewitt said he had sat in on the Zoning Meeting about bow hunting within the Village limits. He then asked what the status is on this. This will be referred to the Safety Committee in September. September 30th is the opening day of bow season. Rachel Barrett is the chair of the Safety Committee.

Mayor Moore asked for a motion for council to go into executive session to discuss Cpl. Mitchell's letter and the police department issues and information on lawsuits. Scott made a motion and Sonya seconded. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried and council left for executive session at 8:44 PM.

Upon returning from executive session, Marian moved and Scott seconded to resume council session. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti. Nays: none. Motion carried.

A motion was made by Marian and seconded by Sonya for adjournment. By unanimous vote the meeting was adjourned at 8:55 PM.

Respectfully submitted,

Lloyd C. Billman,
Clerk of Council