

*Village of Windham, Ohio*  
Minutes of the Special  
Council Meeting  
Regular Meeting at other than normal date  
Held May 29, 2014

At 7:00 PM Honorable Mayor Robert W. Donham II called the meeting to order and led in the Pledge of Allegiance to our nation's flag.

Also present were: Trisha Fall Police Officer, C. James Moore, Police Chief Eric Breiding, and David Fall Street Superintendent

Roll Call:	Rachel Barrett – present,	Deborah Blewitt – present,
	Scott Garrett – present,	Sheryl Prem – present,
	Linda Rininger – absent	Randal Slusher – present

Mayor Donham spoke about the loss of Bruce Rininger, Larry Cogley, Virginia Miller and Ed Nutter and said it had been a rough month. He then asked for a moment of silence for these individuals.

Mr. Garrett made a motion to approve the minutes of the April 24, 2014 Special Council Meeting Regular Council Meeting held at other than normal date which was seconded by Mrs. Barrett and carried by unanimous vote.

Fiscal Officer Billman gave the Financial Reports as follows: The Income Tax collected year to date April 30, 2014 was \$251,318.60 with \$18,160.36 of the total due to declarations of estimated tax. The expenditures for the month of April 2014 were \$131,357.20 in checks and charges. Check numbers 30064 through 30175 were paid from the primary checking account during April 2014 with check numbers 30121 through 30125 voided during the month. Direct Deposit Vouchers 122-2014 through 137-2014 and 142-2014 through 152-2014 were also paid during the month of April 2014. The all funds reconciled balance for April 2014 was \$1,406,920.66.

Village Council President's report by Deborah Blewitt. Ms. Blewitt said she had nothing to report.

Dispatchers Police, Fire and Rescue Squad Report for April 2014 by Deborah Blewitt. Ms. Blewitt made a motion to accept the report which was distributed at the SPR meeting earlier in the month. Mr. Garrett seconded the motion which carried by unanimous vote.

Mayor Donham said the rest of the buildings are coming down including the burned out one on Greenmeadow. The grant program got a six month extension and they have until September to get the work done with two months beyond to get the invoices in. The next round is for four-plex and less. Ms. Blewitt said she spoke with Dixie and at one time a letter was given to Phil (Snyder) by Rella about a home to be demo'd. There have been multiple homes flooded and some are vacant in the new homes area.

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Mayor Donham also spoke about the grant for the water plant being approved in the amount of \$635,000 with \$150,000 to be paid back over ten years.

Prior requests of guest to speak – There were no prior requests of guests to speak.

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officer's expenditures for the month of April 2014 in the amount of \$131,357.20 in checks, direct deposits and charges with check numbers 30064 through 30175 paid from the primary checking during April 2014 with check numbers 30121 through 30125 voided during the month. Direct Deposit vouchers 122-2014 through 137-2014 and 142-2014 through 152-2014 were also issued during the month. Mrs. Barrett seconded the motion which passed by a 5 – 0 vote of Council.

Mr. Garrett made a motion to approve the all funds reconciled bank balance for April 2014 in the amount of \$1,406,920.66 and the following monthly reports distributed to Council for the month ending April 30, 2014: Fund Summary, Expenditure Summary, Cash Summary by Fund and the following Year to Date Reports through April 2014: Cash Summary by Fund, Comparison of Budget and Appropriated. The motion was seconded by Ms. Blewitt and carried by unanimous vote.

Mr. Garrett read Resolution R-2014-10 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CREATE A THEN AND NOW PURCHASE ORDER(S) TO PAY COSE / MEDICAL MUTUAL OF OHIO , UNITED STATES DEPARTMENT OF AGRICULTURE, HARD LABOR PAVING & SEALCOATING, OHIO EDISON COMPANY AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mr. Slusher and carried by unanimous vote. Mr. Garrett then made a motion to adopt Resolution R-2014-10 which was seconded by Mrs. Prem and carried by unanimous vote.

Mr. Garrett read Resolution R-2014-11 **A RESOLUTION MEMORIALIZING AN EXISTING SUBSIDY OF THE VILLAGE OF WINDHAM TO THE PORTAGE COUNTY DISTRICT LIBRARY FOR THE BRANCH LOCATED WITHIN THE VILLAGE OF WINDHAM** as a first reading.

Mr. Garrett read Ordinance O-2014-15 **BEING AN ORDINANCE AUTHORIZING THE AMENDING AND/OR SUPPLEMENTING OF THE PERMANENT APPROPRIATIONS SET FORTH IN ORDINANCE O-2014-10 ON MARCH 18, 2014 FOR THE VILLAGE OF WINDHAM AS SET FORTH BELOW AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Ms. Blewitt and carried by unanimous vote. Mr. Garrett then moved to adopt Ordinance O-2014-15 which was seconded by Mrs. Prem and carried by unanimous vote.

Mayor Donham spoke about two levies we were looking at for the November ballot. The first is a library levy. Solicitor Reitz said this is a two step process and would need to be passed by July. Mayor Donham continued saying this would be a small levy to pay \$12,500 and would be a five year renewable levy. The second levy would be a Parks and Recreation levy which would generate \$25,000 each year for the Village Parks as well as the Community Center. This would also be a five year renewable levy.

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Mr. Slusher said we are beating a dead horse for the Community Center. Mayor Donham said he disagreed and that the Park would need about \$15,000 to \$20,000 with the Community Center requiring between \$5,000 and \$10,000. Mr. Slusher said there are hundreds of people in the park; when was the last time there were 100 people in the community center. Mr. Donham said during the Texas holdem tournament which was held there a couple of years ago. He said we also need to pave the roads in the park.

Safety, Personnel, Rules (SPR) by Deborah Blewitt

Ms. Blewitt read Ordinance O-2014-11 **AN ORDINANCE TO ESTABLISH A POLICY REQUIRING POLICE OFFICERS TO HAVE BULLET PROOF VESTS AND TO PROVIDE FOR THE USE OF THE POLICE CLOTHING ALLOWANCE TO ASSIST IN THE COST OF ACQUIRING THE BULLET PROOF VESTS** as a third reading and made a motion to adopt which was seconded by Mr. Slusher and passed by unanimous vote.

Ms. Blewitt read Ordinance O-2014-12 **AN ORDINANCE APPROVING THE RECODIFICATION, EDITING AND INCLUDING OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF WINDHAM, OHIO** as a second reading.

Ms. Blewitt read Resolution R-2014-12 **A RESOLUTION RETAINING THOMAS REITZ, ATTORNEY AT LAW, AS SOLICITOR FOR THE VILLAGE OF WINDHAM, OHIO, AND FIXING HIS FEES FOR THE PERIOD FROM JUNE 1, 2014 TO MAY 31, 2015 AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mr. Garrett and carried by unanimous vote. Ms. Blewitt then made a motion to adopt Resolution R-2014-12 which was seconded by Mrs. Prem and carried by unanimous vote of Council. Mayor Donham said it has been a pleasure working with Tom and everyone appreciates the work he has done.

Ms. Barrett made a motion to approve the promotion of Trisha Fall to the position of full-time police officer effective upon satisfactory completion of the Ohio Police and Fire Pension Fund requirements. The motion was seconded by Mr. Garrett and passed by unanimous vote. Mayor Donham then swore new full-time officer Fall in and she was greeted by an enthusiastic round of applause. Mr. Donham said Trisha is an outstanding employee.

Ms. Blewitt moved to enter executive session for a personnel benefit issue and also for the hiring, firing, promotion or demotion of existing employees. The motion was seconded by Mr. Garrett and by a 5 – 0 vote Council entered executive session at 8:00 PM

Mr. Slusher moved to return from executive session which was seconded by Mrs. Prem and by a unanimous vote Council returned at 8:37 PM

Chief Breiding explained the Lieutenant Korman has three weeks of vacation which he has been unable to use. He is requesting a two week extension and the vacation will be used by July 4<sup>th</sup>. Mr. Garrett moved to grant the extension which was seconded by Mr. Slusher and carried by unanimous vote.

Utilities by Rachel Barrett

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Mrs. Barrett made a motion to approve the purchase of CMI Utility and Income Tax Software with pending Legislation to follow. Mayor Donham questioned whether the tax software was available. He anticipated a roll out on January 1, 2015 and will work out the funding. Lori (Lee) will work out the logistics. Tom Reitz is on hold until after the next committee meeting on the legislation. Mrs. Barrett withdrew her motion as it had no second.

Service Committee by Randall Slusher

Mr. Slusher said he had nothing to report.

Economic Development by Sheryl Prem

Mrs. Prem made a motion to create a line item within the General Fund to be known as Economic Development Marketing (1000-790-325-0000) and transfer \$300.00 from Engineering Service (1000-790-346-0000) into the new line item. This is to be used to provide discount cards to be distributed to members of Camp Ravenna offering discounts from local merchants. The motion was seconded by Mr. Garrett and passed by unanimous vote of Council.

Parks and Recreation by Randall Slusher

Mr. Slusher made a motion to accept Mayor Donham's appointment of JoAnn Hoffman as a member of Parks and Recreation to fill the seat of Kathie McIntyre. Mrs. Prem seconded the motion which passed by unanimous vote of Council.

A motion had been made at the Parks and Recreation Committee meeting to learn the status of the installation of the playground equipment at the Village Park. Mayor Donham explained that the Windham Park Restoration Committee bought the equipment from a school in Steubenville Ohio and we can't hire an installer. It is tough getting the people to start the installation. We need tubing welded and this probably won't be done until the end of July or early in August. Jim the welder is willing to assist in this endeavor.

Mr. Slusher made a motion to approve the donation of up to 8 park benches, a playhouse with slide and picnic area, regular slide, teeter totter, a picnic table with umbrella and a water sand table from the recently dissolved Community in Action. The motion was seconded by Mrs. Prem and carried by unanimous vote.

Mr. Slusher made a motion to authorize the Fiscal Officer to create a line item within the General Fund to be known as Maintenance, Repair, Acquisition of Playground Equipment for the Community Park (1000-320-392-0060) providing \$300 for this line item. Mrs. Prem seconded the motion which carried by unanimous vote.

Planning and Zoning by Deborah Blewitt

Ms. Blewitt made a motion to approve an application by Pamela S. Richards, Bryan R McManus and Shana McManus for 34.08 acres at 9400 Edgewood Drive (Parcel Number 41-066-10-00-058-000) to be placed as farmland in an agricultural district. Mr. Slusher seconded the motion. Under a general discussion it was learned that there is no evidence of it being used for agricultural use and the applicant stated she didn't know what this actual purpose would be for the land. It also doesn't fit within the guidelines of the village for an agricultural use. The roll call vote was taken and the motion was defeated by a 0 – 5 vote.

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Solicitor's Report by Thomas Reitz – Mr. Reitz had no report this evening.

#### Guest Recognition

C. James Moore asked for clarification on the discount cards and it was explained that the \$300 allocated would be used to purchase the discount cards. The merchants will be providing the actual discounts.

Last chance by members of Council to speak upon any subject at this meeting.

Mrs. Barrett said that back in February some correspondence was received from Sprint and as of May they (Sprint) has still not received anything from us. Mayor Donham explained that Sprint still needs plans from the people they hired. They were supposed to send a package to Lori (Lee) with a copy to Tom Brett and Mayor Donham containing plans from a third party. They need a zoning permit and we could sign a zoning permit this week.

Mrs. Barrett asked about a demolition permit and none was issued.

Mrs. Prem asked about the new administration building. Mayor Donham said we still need a walkthrough. The date of the walkthrough was set for June 17, 2014 at 6:00 PM with all to meet at the new administration building.

Ms. Blewitt said she had a discussion with Bill Isler and there is somebody who is willing to build homes here.

The change on the calendar was agreed upon.

Mrs. Barrett made a motion for adjournment which was seconded by Mr. Slusher and with all voting in the affirmative the meeting was adjourned at 9:30 PM.

Respectfully submitted,

Attest,

Lloyd C. Billman, Clerk of Council

Robert W. Donham II, Mayor

**\*\* NOTE: THESE MINUTES ARE SUMMARY BY DIRECTION OF COUNCIL \*\***

All Council & Committee Meetings will be held in Windham Council Chambers, unless otherwise noted.

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