

Village of Windham, Ohio

Minutes of Regular Council Meeting

Held August 27, 2013

At 7:05 PM the Honorable Mayor Robert W. Donham II called the meeting to order and led in the pledge of allegiance to our nations flag.

Roll Call: Rachel Barrett – present, Deb Blewitt – present,
Scott Garrett – present, Jena Miranda – present,
Sheryl Prem – present, Phil Snyder – present

Also present were Atty. Tom Reitz, solicitor, Police Chief Gene Fixler, C James Moore, Village Administrator Mike Iwanyckyj, Jason Cline and Denise Bly.

The minutes of July 30, 2013 Council Meeting were reviewed and upon a motion by Mr. Snyder and a second by Mrs. Miranda and by a 6 – 0 vote the motion passed.

The Fiscal Officer's Financial Reports by Lloyd Billman

The Income Tax total for July 31, 2013 year to date was \$336,805.73 with \$29,172.17 of this total for declarations of estimated tax.

The expenditures for the month of July 2013 were \$167,585.14 in checks and charges. Check numbers 29197 through 29297 were paid from the primary checking account during July 2013 with no check numbers voided during the month. Direct Deposit Vouchers 292-2013 through 309-2013 and 312-2013 through 323-2013 were also paid during the month of July 2013.

The July 2013 Bank Reconciliation all funds reconciled balance was \$1,258,344.42.

Mr. Billman then asked the members of Council to remain after the meeting to sign an item of legislation.

Council President's report by Phil Snyder. Mr. Snyder said he had nothing to report.

Dispatchers, Police, Fire and Rescue Squad (EMS) reports for July 2013 by Phil Snyder. Mr. Snyder made a motion to approve the report which was seconded by Mrs. Prem and carried by a 6 – 0 vote of Council.

Mayor's Communication and Correspondence Mayor Donham said he had nothing at this time.

Prior requests of guests to speak. Neither Mark nor Linda Wiles were present who had previously asked to address Council concerning rain water run off on their property.

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officer's expenditures for the month of July 2013 in the amount of \$167,585.14 in checks, direct deposit and charges with check numbers 29197 through

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29297 paid from primary checking during July 2013 and no check numbers voided during the month. Direct Deposit Vouchers 292-2013 through 309-2013 and 312-2013 through 323-2013 were also issued during the month. The motion was seconded by Mr. Snyder and carried by unanimous vote of council.

Mr. Garrett made a motion to approve the all funds reconciled bank balance for July 2013 in the amount of \$1,258,344.42 and the following monthly reports distributed to Council for the month ending July 31, 2013: Fund Summary, Expenditure Summary, Cash Summary by Fund and the following Year to Date Reports through July 2013: Cash Summary by Fund, Comparison of Budget and Appropriated. The motion was seconded by Mr. Snyder and carried by unanimous vote of council.

Mr. Garrett read Ordinance O-2013-26 **BEING AN ORDINANCE AUTHORIZING TRANSFERS AND APPROPRIATIONS 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 Mr. Snyder and carried by unanimous vote. Mr. Garrett then made a motion to adopt Ordinance O-2013-26 which was seconded by Mr. Snyder and carried by unanimous vote.

Mr. Garrett read Resolution R-2013-24 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CREATE A THEN AND NOW PURCHASE ORDER(S) TO PAY OHIO EDISON, COSE / MEDICAL MUTUAL OF OHIO, LOVE INSURANCE AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mrs. Prem and carried by unanimous vote. Mr. Garrett then made a motion to adopt Resolution R-2013-24 which was seconded by Mrs. Prem and carried by unanimous vote.

Mr. Garrett read Resolution R-2013-27 **A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mr. Snyder and carried by a 6 – 0 vote of Council. Mr. Garrett then made a motion to adopt Resolution R-2013-27 which was seconded by Mrs. Prem and carried by unanimous vote.

Mr. Garrett read Resolution R-2013-28 **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 AND DEBT SERVICE RESERVE FUNDS TO MEET CALENDAR 2013 DEBT SERVICE REQUIREMENTS DURING 2013 REPEALING ALL PRIOR INCONSISTENT RESOLUTIONS AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mrs. Prem and carried by unanimous vote. Mr. Garrett made a motion to adopt Resolution R-2013-28 which was seconded by Mr. Snyder and carried by unanimous vote.

Mr. Garrett read Resolution R-2013-29 **A RESOLUTION NAMING CORTLAND SAVINGS AND BANKING COMPANY AS THE BANK HOLDING ALL ACTIVE, INTERIM AND INACTIVE FUNDS OF THE VILLAGE OF WINDHAM AND DECLARING AN EMERGENCY** as a first reading.

Mr. Garrett read Resolution R-2013-30 **A RESOLUTION TO PURCHASE THE PROPERTY LOCATED AT 9083 NORTH MAIN STREET IN THE VILLAGE OF WINDHAM FROM MJM INVESTMENTS HOLDING FIRST TRUST** as a first reading.

Mr. Garrett read Resolution R-2013-31 **A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO AN AGREEMENT OBTAINING THE FINANCING WITH THE KANSAS STATE BANK FOR THE PURCHASE OF THE BUILDING AT 9083 NORTH MAIN STREET** as a first reading.

Safety, Personnel, Rules (SPR) by Phil Snyder

Mr. Snyder made a motion to approve the hiring of Virgalene “Mert” Hall to the position of Safety Force Clerk in the Police Department at the rate of \$11.95 per hour part time effective August 15, 2013. The motion was seconded by Mr. Garrett and passed by unanimous vote of Council.

Mr. Snyder made a motion to approve the re-hiring of Sandra Smith as school crossing guard at the rate of \$8.01 per hour part time effective August 22, 2013 which was seconded by Mr. Garrett and passed by unanimous vote. Mr. Snyder said he desired the minutes to reflect that it is a positive to Sandy out there in the morning with the kids. They know her and like her. Chief Fixler said she covers two schools as crossing guard.

Utilities by Rachel Barrett

Mrs. Barrett read Resolution R-2013-26 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CERTIFY THE FOLLOWING SUMS TO THE PORTAGE COUNTY AUDITOR TO BE ASSESSED AND COLLECTED AS DELINQUENT WATER/SEWER RENTS TOTALING \$3,784.61 AS SET FORTH HEREIN AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mr. Snyder and carried by unanimous vote. Mrs. Barrett made a motion to adopt Resolution R-2013-26 which was seconded by Mr. Snyder and carried by unanimous vote.

Service Committee by Deb Blewitt

Ms. Blewitt read Resolution R-2013-25 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CERTIFY THE FOLLOWING SUMS TO THE PORTAGE COUNTY AUDITOR TO BE ASSESSED AND COLLECTED AS TAXES FOR THE MOWING OF LOTS CONTRACTED BY THE VILLAGE OF WINDHAM TOTALING \$3,975.00 AS SET FORTH HEREIN AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mr. Garrett and passed by a 6 – 0 vote. Ms. Blewitt then made a motion to adopt Resolution R-2013-25 which was seconded by Mr. Snyder and carried by unanimous vote.

Parks and Recreation by Phil Snyder

Mr. Snyder said he wanted to remind everyone the Parks and Recreation Committee is planning an Octoberfest function to be held at the Park on October 12th with more information to follow.

Planning and Zoning by Phil Snyder Mr. Snyder said he had nothing.

Solicitor's Report by Atty. Tom Reitz Solicitor Reitz said he had nothing.

Guest Recognition

Denise Bly asked if Resolution R-2013-27 was another attempt at passing an Income Tax Levy on the November ballot. Mayor Donham explained that this was just standard procedure to certify amounts and rates to the Portage County Auditor and takes place every year.

Mrs. Bly then asked if Mayor Donham could enlightener her about Resolutions R-2013-30 and R-2013-31 which were first readings this evening. Mayor Donham said he could not since it was ongoing negotiations and could perhaps shed more light in a month.

Mrs. Bly asked about the Mayors Court which Mr. Donham said is still on hold pending more discussion with the Portage County Judges.

Since there were no more questions from our visitors, Mayor Donham said there would need to be an executive session to discussing hiring a Sewer Operator on a contracted basis and also for potential acquisition of property. Mr. Snyder made the motion to enter executive session for those purposes which was seconded by Mr. Garrett and carried unanimously with Council entering executive session at 7:28 PM.

Mr. Snyder moved and Mr. Garrett seconded the motion to return from executive session which carried by a 6 – 0 vote at 8:25 PM.

Mr. Snyder made a motion to authorize the Mayor and Fiscal Officer to contract with Josh Goodrich to provide wastewater treatment facility management on an as needed basis at the rate of \$50 per hour. Mr. Goodrich has a Class III Sewer License which is more than is required. Mr. Garrett seconded the motion which passed by unanimous vote.

Mr. Snyder discussed a couple of changes to the calendar which was agreeable to all.

Mrs. Miranda asked Mayor Donham if he would present the Mayor's Report for the year. He said he would have it at the next Council Meeting. Mr. Snyder made a motion for adjournment which was seconded by Mrs. Mirand and by unanimous vote Council was adjourned at 8:33 PM.

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

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

Respectfully submitted,

Attest,

Lloyd C. Billman, Clerk of Council

Robert W. Donham II, Mayor