

Village of Windham, Ohio
Minutes of the Council Meeting

Held August 18, 2009

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

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

Also present, Village Solicitor Tom Reitz, Village Administrator Maurice Hankins, Police Chief Perdian, Fire Chief Simpson, Housing Inspector Tom Brett, Bruce Rininger, C. James Moore, Mike Iwanyckyj, Brenda Slusher, Lou Baril, Jim Starkey, Bob Edwards and Jason Lamtman

Mayor Donham asked Council to amend the agenda for this evening because most of the business we are doing has to do with what we need to talk about in executive session, he would like to move the executive session right after the approval of the minutes and also there were two items which appeared on last months regular business which were omitted from this agenda. Ordinance O-2009-26 for second reading should be under the Finance section and Resolution R-2009-23 third reading should appear under Safety, Personnel and Rules. Mr. Snyder made a motion to add the missing legislation items to the agenda which was seconded by Mrs. Rininger. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mr. Snyder then made a motion to enter into executive to discuss legal matters concerning the lawsuit against the Township Trustees and ongoing negotiations of the same with the provision that the co-complaintant Jim Moore be invited in if needed. Mr. Slusher seconded the motion. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried. Council entered executive session at 7:09 PM.

Mrs. Barrett moved to return from executive session which was seconded by Mrs. Rininger. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried. Council returned from executive session at 8:18 PM.

The minutes of the July 28, 2009 Regular Council Meeting, August 4, 2009 Special Council Meeting, August 6, 2009 Special Council Meeting and August 11, 2009 Special Council Meeting. Mr. Garrett spoke and expressed his interest in going to some form of better recording for the Council Meetings. The tape recorder we have been using is not picking up all members of Council and is very difficult to understand. The Mayor said it would be very nice for us to obtain a system where each member of Council would have their own microphone and the system could tag and identify the member of Council who is speaking. Mrs. Rininger said she liked the fact that they were so detailed. She just wished she had gotten them earlier so she could have compared them with her recording. Mr. Snyder made a motion to approve the July 28, 2009 Regular Council Meeting minutes. Mr. Garrett seconded the motion. Mrs. Meszaros said she had some corrections. On page three where it was written Mrs. Meszaros said that Mr. Fischer stated publically to everybody that would listen that he was here specifically to gather information and knowledge. That should have been Chief Perdian instead of Mr. Fischer. Mrs.

Rininger said on the same page further down where she asked "Is this not something of value for his consulting firm", the Chief did answer and it is deleted from here. His answer was yes according to Mrs. Rininger. The Chief responded that his answer was not at this time. Mrs. Rininger said that's not what I heard on my tape. Mayor Donham said at this point, that's what Lori heard on our tape. Mrs. Rininger said it doesn't even have his response to me in here. Mr. Garrett said some of the tape was inaudible. We need an improved system. Mr. Garrett asked if further corrections are discovered could it be amended later. Atty. Reitz said the way to do it is to note the comments that Mrs. Rininger made this evening so that she has created the record now that her recollection is that was the Chief's response. She stated on the record this evening what the Chief said – that is the best record that you have at this point. When you approve your minutes on the August 18th meeting the corrections will show up there. Mayor Donham said, "Mark that Lloyd". The vote of Council on the July 28, 2009 minutes was: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: Mrs. Rininger. Motion carried.

The August 4th Special Council Meeting minutes were next considered. Mr. Garrett moved and Mr. Snyder seconded the motion to approve the minutes as presented. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

August 6th Special Council Meeting minutes were considered. Mrs. Meszaros said on page two on the third full paragraph, she believes she said there have been certain legal measures taking instead of the word depth. Mrs. Rininger said there is a lot of things which weren't quoted accurately. Mayor Donham remembers the word maneuvers and Mrs. Meszaros said either one works as well. Mayor Donham said we will change it to measures. Mr. Snyder made a motion to approve with the correction and Mr. Garrett seconded the motion. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

August 11th Special Council Meeting minutes were considered. Mr. Snyder made a motion to approve which was seconded by Mr. Garrett. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Village Fiscal Officer reports, Lloyd Billman The Village Fiscal Officer gave the Income Tax Revenue for July 2009 year to date as \$346,372.56 and stated that of this total, \$25,752.58 is due to estimated payments from declarations.

The Fiscal Officer gave expenditures for the month of July 2009 in the amount of \$222,935.48 in checks, charges, etc. Check numbers 22761 through 22927 were paid from the Primary Checking Account during July. Checks # 22785 and 22822 were voided during July 2009.

The Fiscal Officer stated that the July 2009 Bank Reconciliation with an all funds reconciled balance was \$614,810.27.

Village Council President, Phil Snyder. Mr. Snyder said he has passed out an outline of a first draft of the employee handbook. He stated he will continue to work on it for the next safety meeting.

Dispatchers, Police, Fire and Rescue Squad (EMS) reports for July 2009 by Phil Snyder. Phil gave the monthly reports relating to both Police and Fire Departments.

Mayor's Communication and Correspondence Mayor Donham said he has no correspondence at this time.

Prior requests of guests to speak: None.

Finance Committee Report by Scott Garrett. Mr. Garrett made a motion to approve the Fiscal Officers expenditures for the month of July 2009 of \$222,935.48 in checks, charges, etc. Check numbers 22761 through 22927 were paid from the Primary Checking Account during July. Checks # 22785 and 22822 were voided during July 2009. The motion was seconded by Mr. Snyder. Vote of Council: Yeas: Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher. Nays: None. Motion carried.

Mr. Garrett made a motion to approve the July 2009 Bank Reconciliation with an all funds reconciled balance of \$614,810.27 and the following monthly reports for the month ending July 31, 2009: Fund Summary, Appropriation Summary, Revenue Summary, Payment Register, Charge Register, Expenditure Summary, Cash Summary by Fund, also for the following Year to Date Reports through July 31, 2009: Cash Summary by Fund, Comparison of Budget versus Actual Receipts, Comparison of Disbursements and Encumbrances. The motion was seconded by Mrs. Meszaros. Ayes: Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher. Nays: None. Motion carried

Mr. Garrett read Ordinance O-2009-29 AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE PERMANENT APPROPRIATIONS FOR 2009 FOR THE VILLAGE OF WINDHAM, CALLED FOR IN THAT BUDGET, AND DECLARING AN EMERGENCY and made a motion to suspend the rules. Mr. Snyder seconded the motion. Mayor Donham asked if there was any discussion other than he hoped that the name of WINDHAM which contained two D's on the Agenda was just a typo on the agenda and not on the Ordinance, if not, please see that the typo is corrected on the legislation. Mr. Garrett asked if we are amending the appropriations for the remainder of the year. Mayor Donham said, "Lloyd, you can explain if you'd like." There were a couple of big things one was moving the SRO from the Special Revenue. One of the other changes was we got our second half disbursement for our property taxes and because we had the Water assessments and grass mowing assessments, you know they deduct their fees off the top and we have to show them as expenditures and we didn't have enough appropriated in the line item to show those expenditures. The other stuff Lloyd really spent a lot of time on, the rest of the utilities making sure each line item had enough appropriated. Mr. Garrett said this will cover us for the remainder of the year. Mayor Donham asked if the Fiscal Officer wanted to elaborate. Lloyd said he though the Mayor had covered it. Mrs. Barrett said she had a question. Why are we adding an appropriation of \$75,000 for the Fire Department when three are less than four months till the end of the year. She was told that it was in the previous amendment, and the Mayor said that the last time we appropriated money into the line item for the Fire Department for a six month budget pending the apportionment on July 1st. We know that the apportionment didn't take place on July 1st so that amount is still there. Mrs. Rininger asked if that amount was \$75,000 because she saw \$100,000. The Fiscal Officer said you are looking at the Revenue of \$100,000 and the appropriation of \$75,000. Mrs. Meszaros asked how are we accounting for the SRO Funds. How is that money being monitored? Mr. Donham said the SRO Fund line items will be 1000-110-1xx separately for the SRO for Salary and likewise for the fringe benefits. They will be segregated from the normal police expenditures. The crossing guards will also come out of the same line items. The Mayor spoke with Mrs. Kropinak today to set up a meeting with Lloyd, myself, their treasurer and her for either Friday, Monday or Tuesday to ease their mind as to how the monies will be accounted.

Vote of Council: Ayes: Mr. Garrett, Mr. Snyder, Mr. Slusher. Nays: Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger. Motion defeated. This is treated as a first reading of the legislation. Mayor Donham said just to notify Council before we move on, we won't have any money to run the School Resource Officer program. So, that's it. Mr. Snyder asked about his statement,

and the Mayor responded that if we aren't going to appropriate money into the account, we won't be able to run the program. Mrs. Meszaros, said the question is how do we cover it and Mayor Donham said he asked if there were any more questions and I didn't get any. I'm more than glad to entertain any questions but you have to ask them. Atty. Reitz said it looks like this is raising eyebrows. Mrs. Meszaros asked why the Fiscal Officer's salary line item went down so much. Mayor Donham explained there is extra money in the line item and that is how we balance the fund, so Lloyd needed extra money in fringe benefits and it was taken from salary. The Mayor said he thought Lloyd spent about three weeks on this, he spent a solid nine hours on it so there are lots of small changes in the appropriations. Mrs. Rininger asked about the Mayor's line item for contractual services, you had thirteen thousand and increased it to nineteen thousand. Why was there such a big increase on that? Mayor Donham said he can't remember exactly, but he believed it was one that Lloyd put in and was for a utility of some sort. Mrs. Rininger also asked about an additional for the police department, and the Mayor said it wasn't just for the police department, there was about 6,600 added to the general fund for the auditor's expenses and treasure's expenses. There was a check for \$51,000 but the amount dispersed was actually \$59,000 because they take their fees out of the gross amount.

Mr. Garrett read Ordinance O-2009-26 **AN ORDINANCE ESTABLISHING A COMPETITIVE BIDDING POLICY OF THE VILLAGE OF WINDHAM** as second reading.

Safety / Personnel / Rules Committee: Phil Snyder Chair. Resolution R-2009-27 **A RESOLUTION SUBMITTING THE QUESTION OF AN ADDITIONAL TAX LEVY FOR FIRE DEPARTMENT AND EMERGENCY MEDICAL SERVICE PURPOSES PURSUANT TO SECTION 5705.19(D) OF THE REVISED CODE AND DECLARING AN EMERGENCY** was given a third reading by Mr. Snyder and a motion to adopt the Resolution. The motion was seconded by Mr. Garrett. Mayor Donham said he knows that Mrs. Rininger asked how much the tax levy would generate. He explained that it is actually a little bit complicated formula because you have to consider that you only get taxed on 35% of the value of your house and then they roll it back another 10% after the tax assessment. I looked at a median assessed value of \$80,000 of houses around here and so I said \$85,000 would be \$53.55 per year. If you went up to \$100,000 house it would be \$63.00 per year for that additional tax. So a \$100,000 house you are talking an extra \$5.00 per month. It is well worth the price of having a top-notch Fire and EMS service which we have always been able to provide and our guys always give us. Vote of Council: Ayes: Mr. Snyder, Mr. Garrett, Mrs. Barrett, Mr. Slusher. Nays: Mrs. Meszaros, Mrs. Rininger. Motion carried.

Ordinance O-2009-30 **AN ORDINANCE AMENDING THE SECTION 155.02 OF THE VILLAGE OF WINDHAM ADMINISTRATIVE CODE WITH RESPECT TO EMPLOYEE VACATIONS** was given a first reading by Mr. Snyder.

Mr. Snyder made a motion to approving the hiring Loretta Workman as a Full-Time Police Dispatcher for the Village of Windham at a rate as set forth in the Village pay ordinance with an effective date of August 23, 2009 and declaring an emergency. The motion was seconded by Mr. Slusher. Mrs. Rininger asked questions as to how many hours Mrs. Workman currently was working and would she be entitled to an increase. Chief Perdian answered that currently Mrs. Workman is working 24 hours each week and would receive approximately one dollar per hour increase. He also explained that she might consider waiving the benefits because she is covered by her husband's insurance. Mrs. Rininger asked that before the vote is taken if she could ask a question of the solicitor. When we did the motion to hire last time we did not move to suspend the rules. Now I thought and if I'm reading the codified ordinance correctly that the vote whether it be motion, resolution or ordinance that if it is being done that night, you have to agree to suspend

the rules. Atty. Reitz said that is not accurate, you have to read all legislation resolutions or ordinances on three separate readings at three separate meetings. If you decide to suspend that rule, you can act on it in one meeting. That rule does not apply with respect to a simple motion. Mrs. Rininger asked if that was true even according to our codified ordinance. Atty. Reitz said that was according to the Ohio Revised Code and then asked her what section she was looking at. She said it is the administrative code 121.01 section (e) voting and motions, it doesn't stipulate this that a motion vote does not require suspension of the rules. Atty Reitz said that is because a motion vote doesn't require three readings in the first place. Mrs. Rininger said well it doesn't state anything about the three readings in that portion of it. Atty. Reitz said that's right so there is no requirement Mrs. Rininger said but it doesn't state about the three readings in Ordinances and Resolutions as well if you read that full section e. Atty Reitz said it does state that about the readings of legislation which is in 121.01 paragraph small case i. Mrs. Rininger said but I was in voting and motions. Atty Reitz said there is no requirement of three readings for a motion, so there is no requirement to suspend the rules. Mrs. Rininger asked if there was any way Atty Reitz can give us a written opinion on that. Atty Reitz said he certainly can. Mayor Donham said he wanted to remind Council that we don't get free written opinions. He said he knows that cost was a deciding factor when we did a contract here and repeated written opinions when they have been given verbally and are going to be written down are in my opinion a giant waste of money of the taxpayers, so we can certainly do it but I'm going to bring it up if cost is brought up in the future. Mrs. Rininger questioned when you have issues and you don't have a clear answer, don't you request a written opinion? Mayor Donham said it is in the minutes, that's his written opinion. He gave his opinion here in an open public meeting. That's fine, if you want to do it that way, but I don't want to hear down the road that our costs are out of control because our costs are directly related to what we ask the man to do. Mrs. Rininger said but that's only one request for one written opinion in all this time. Mayor Donham said he hasn't requested any written opinions and asked Atty Reitz how many he has written. Atty. Reitz replied he has written two not counting this one. Mayor Donham said this will be our third and so about every other month we have a written opinion, and that's fine, that's what we pay Tom to do; but understand that it isn't free. Vote of Council: Ayes: Mr. Snyder, Mr. Garrett, Mrs. Barrett, Mrs. Meszaros, Mr. Slusher. Nays: Mrs. Rininger. Motion carried.

Resolution R-2009-23 A RESOLUTION ESTABLISHING A POLICY AND AUTHORITY TO CARRY OUT A POLICY WITH RESPECT TO SPECIAL EVENT PARKING AND DECLARING AN EMERGENCY was given a third reading by Mr. Snyder. Mr. Snyder then made a motion to adopt the Resolution which was seconded by Mr. Garrett. Vote of Council: Ayes: Mr. Snyder, Mr. Garrett, Mrs. Barrett, Mrs. Meszaros, Mr. Slusher. Nays: Mrs. Rininger. Motion carried.

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

Utilities report by Randy Slusher. Mr. Slusher read Resolution R-2009-28 A **RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM UNDER SECTION 735.29 OF THE OHIO REVISED CODE TO CERTIFY THE FOLLOWING SUMS TO THE PORTAGE COUNTY AUDITOR TO BE ASSESSED AND COLLECTED AS DELINQUENT WATER/SEWER RENTS TOTALING \$13,465.91 AS SET FORTH HEREIN AND DECLARING AN EMERGENCY.** Mayor Donham said he wanted to point out that we did this in the previous year and on the receipt that we just got and we got \$14,000 back in collections that we never would have gotten before and this has been a wildly successful program and I think it should be continued. Mrs. Rininger asked if we have put something in place so we don't get something like a \$2200 balance? Mayor Donham said the easy answer is yes, but the hard answer is much more complicated than that and it's that things have happened in the past and this is cleanup.

Mrs. Meszaros asked that by letting these balances get to a certain level before enforcing these ordinances, is that not going to present a problem down the line? Mayor Donham said, I think if we don't follow our policies, it does put us in a bad situation. I don't think we are trying to make a habit of it. I think things have happened and there's no doubt in the past that some things have happened which are anomalies. There are certain situations that you can't account for. We have places that can't be shut off physically in the Village and what do you do on that, the bill keeps running up and you keep trying to collect? There is all kinds of different situations but you have a case by case; it's not hard for Maurice and our department to go through and try to remedy those mistakes. Atty. Reitz said, you asked about the legal problem, yes if you wait so long and are outside of the statute of limitations you do lose the right to collect; all of these debts are less than one year old and are within the statute of limitations. Mrs. Meszaros said, I'm not talking specifically about statute of limitations, I'm talking about the fact that we are allowing utility bills on rental properties to go much higher than they should and then we are also making agreements with people who do not own the property sort of a collection agreement without the benefit of any of the landlords input and the property owner is going to be held responsible on the taxes and should have some input on whether any payment agreement was signed. Mr. Garrett said that has been addressed (by the committee) and will be rectified in the future. Atty Reitz said your policies are not clear and you have tried a couple of different ways last year and at your next utility committee meeting I'm going to encourage Atty Murdock and your chairman to establish just one policy because I agree with you that this is, I don't think it rises to the level of enforceability but I certainly agree that it desirable for this to be addressed. Mayor Donham asked if there was any other discussion on this Resolution. Mr. Slusher made a motion to suspend the Rules which was seconded by Mr. Snyder. Vote of Council: Ayes: Mr. Slusher, Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger. Nays: None. Motion carried. Mr. Slusher made a motion to adopt Resolution R-2009-28 which was seconded by Mr. Snyder. Vote of Council: Ayes: Mr. Slusher, Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger. Nays: None. Motion carried.

Streets and Sidewalks by Randy Slusher. Mr. Slusher had nothing for this committee.

Housing Rental License Code by Randy Slusher.

Mr. Slusher gave the first reading of Ordinance O-2009-31 **AN ORDINANCE AMENDING THE HOUSING, MAINTENANCE AND OCCUPANCY CODE OF THE VILLAGE OF WINDHAM BY ESTABLISHING A PENALTY FOR DEFACING OR REMOVING A PLACARD POSTED BY THE HOUSING INSPECTOR.**

Village Buildings and Properties by Randy Slusher.

Mr. Slusher made a motion to suspend the rules on Resolution R-2009-29 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM UNDER SECTION 715.261 OF THE OHIO REVISED CODE 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 \$2150.00 AS SET FORTH HEREIN AND DECLARING AN EMERGENCY.** The motion was seconded by Mr. Garrett. Vote of Council: Ayes: Mr. Slusher, Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger. Nays: None. Motion carried.

Mr. Slusher made a motion to adopt Resolution R-2009-29 which was seconded by Mr. Garrett. Vote of Council: Ayes: Mr. Slusher, Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger. Nays: None. Motion carried.

Planning and Zoning Commission by Randy Slusher The committee really didn't have anything however there is an appeals meeting tomorrow at 6:30 PM.

Parks and Recreations by Phil Snyder. Mr. Snyder said that there is no report.

Economic Development and Long Range Planning by Phil Snyder – No report.

Solicitor's Report by Tom Reitz. Atty. Reitz said he didn't want to steal any of Tom Brett's thunder, but you had your first appeal before the housing board of appeals and Mr. Brett appeared so well prepared that the appellate spoke briefly and withdrew their appeal. It was an opportunity for the board to get organized and to determine how their procedures should go and Mr. Brett was ready to go. Mayor Donham clarified that the appellate's time to re-file has since lapsed. Atty Reitz said that is correct.

Guest Recognition.

Tom Brett said as stated the appeal was withdrawn and in accordance with the code, once the building has been ordered vacated, the utilities will be turned off and the meters removed and we will pursue the furthering of the code, and the steps which are followed in the case of properties unfit for habitation. The owners, I believe, will have another chance to appeal at that time. The second item relates to that part of the ordinance in the future we would be better pursuing that to go to the Portage County Building Department for support in obtaining condemnation proceedings mainly to providing guidance on the structural integrity of the building particularly the wood foundation. There was no real examination of the foundation or in the crawl space in the attic. We may ask for a refund of our fees paid since the inspection was inadequate. The Mayor said he was extremely dissatisfied with the lack of preparation by the Building Department not bringing a ladder or a flashlight to properly inspect buildings which we were looking to condemn. Mr. Brett said if we are going to spend money like that, our Ordinance allows us to make a determination as to whether the buildings are fit for habitation. The last item was that we had discussed enforcing the code as it relates to the entire building being up to code as opposed to a single unit. There have been instances where owners assumed since they passed last year they were still alright, but that isn't the case since they have to be inspected each year. Mayor Donham said we need to send out notices so that everyone is notified about the licensing of the buildings. The other issue is the turning on of water and that is according to a policy. Our ordinance states that the entire building needs to be up to code. We have found that we allowed the water to be turned on in a case by case basis where the entire building has not passed inspection. The water is not something that is an ordinance that is etched in stone, that is an internal policy that we choose to use. We are going to have to make exceptions until that letter goes out. That is a valid argument that last year you licensed me on individual units, this year you changed the rules.

Bob Edwards spoke about re-inspection fees and said that most of his questions have been addressed, however if a smoke detector is missing batteries and a screen door is missing do we have to re-inspect all units and the building and pay re-inspection fees for all units and the building. He said the tenant can remove the smoke detector batteries and the screen door and the \$30 re-inspection fee would have to be paid. Mayor Donham said we have to pay Tom for the re-inspection. The Mayor asked if he was suggesting a tiered system where the full amount is not necessary to be paid. He said if there is a change that helps the property owner but isn't damaging to the Village, we can look into that. Tom Brett said when he sent the letter out last year, he suggested that batteries be brought to avoid a re-inspection fee.

Any other Business Properly to be brought before Council.

Mr. Snyder said he wanted to return to item 10.3 under Finance (The Amendment to the Permanent Appropriations) and the Mayor said it has already been under first reading and it would have to be revisited by one of the three members of Council who was opposed to suspending the rules would have to make the motion. Mr. Snyder said we have already interviewed for a School Resource Officer and hired to the best of my knowledge, and now we are going to breach the contract with the school. Mrs. Meszaros asked if we have a signed contract with the school. Mr. Snyder said he didn't have a copy. Mayor Donham said the school still has to sign the copy. Mrs. Rininger said since the contract has not been signed, we are not breaching the contract. Mr. Snyder said what we are saying is something that we have all agreed is for the good of the school, the kids, and the community... Mrs. Meszaros said I don't think that was the only issue on that but there were additional amounts which had been changed. Mayor Donham said did we not adequately address the questions, I asked if there were any other questions. Look, not only is the School Resource Officer something we have to deal with, but the Auditor already took her money off the top of our and we are specifying which funds we have to take that out of so we will be in violation of our audit too. But I'm an administrator not a legislator; we will be told what to do by the auditors. Mrs. Barrett asked if she could interject something since she is one of the no votes. Whenever she has time to go back through and check my other records to see if these were presented before or not, then I will approach other members of Council and we will call a special meeting to rectify it in the next few days or I will. But until I have a chance to check the records that I have at home on some of this that's supposed to be already here, my vote stands.

Mrs. Meszaros said she would like to make a motion for this meeting since we neglected to do for a special meeting which was held earlier. Mrs. Rininger seconded the motion. Mayor Donham asked if there was any discussion on the motion. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger. Nays: Mr. Slusher, Mr. Snyder. Motion carried.

Mrs. Meszaros moved to adjourn which was seconded by Mrs. Rininger. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried and Council was adjourned at 9:33 PM.

Respectfully submitted,

Attest

Lloyd C. Billman, Clerk of Council

Robert W. Donham II, Mayor