

Village of Windham, Ohio

Minutes of the Regular Council Meeting

Held September 18, 2007

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, Scott Garrett – present,
 Robert Donham – present, Jodi Minotti – present,
 Marian Garrett – present, Phil Snyder – present

Also present, Village Solicitor Mark Manlove, Village Administrator Maurice Hankins, Police Chief Ed Perdian, Randy Slusher, Marion Quiggle, Marsha Byich, Bob Edwards, Fire Chief Clair Simpson

The minutes of the August 21, 2007 Regular Council Meeting were reviewed. Marian Garrett made a motion to approve the minutes. The motion was seconded by Phil Snyder. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Village Fiscal Officer reports, Lloyd Billman. The Fiscal Officer presented the expenditures for the month of August including checks, charges, etc of \$134,230.37 and the August Bank Reconciliation with an all funds reconciled balance of \$721,835.27 for the month. Check numbers 18924 through 19017 and 19020 through 19071 from the Primary Checking Account were paid during August. Check numbers 19018 and 19019 were voided from the Primary Checking Account during August.

Village Council President, Scott Garrett No report at this time.

Rachel Barrett presented the Dispatchers, Police, Fire and Rescue Squad (EMS) report for the month of August 2007.

Mayor Moore presented the Mayor's report to Council. Mayor Moore presented an August 29, 2007 letter which he received from Portage County Engineer, Michael Marozzi requesting that all applicants on the Round 22 funding list complete a full application package for approval by the District 7 Integrating Committee. The applications will then be submitted for final approval by the Ohio Public Works Commission in Columbus. This will require approval of Council by New Resolution No. R-2007-25 under the Service Committee's reports.

An offer prepared by Mayor Moore and Council President Scott Garrett was presented to the Township Trustees at their September 6, 2007 meeting by Scott.

Mayor Moore's September 6, 2007 letter to the Windham Township Trustees on behalf of Mayor and Council asking them to hold up on the sale of the 1988 Ford E-350 EMS Squad until the Fire District issues are resolved. The Trustees had passed a resolution to sell this old Rescue Squad Ambulance as mentioned in their letter to Mayor and Council dated August 23, 2007. The Trustees letter asked for our input of which Mayor Moore requested of them during

their August Trustees meeting. Our legal counsel advised that we ask the Trustees to hold up on the sale and to provide the Village with a copy of the title to the 1988 Squad.

Village Administrator Maurice Hankins' letter dated September 7, 2007 (due to the Mayor's request and after consulting with Police Chief Perdian) to notify the Owners and Managers of Apartment Buildings in Maple Grove Park that all trash containers must be removed from the sidewalks and parking areas in front of the buildings and property they own and that the trash containers can be placed up to but no on the sidewalk or parking areas owned by the Village.

Mayor's Housing Appeals Board Appointments under 1341.12 (a) (1) and (2) of the Housing Maintenance and Occupancy Code. Under the Code the Mayor appoints two members and the Council approves one member of Council to the Committee for a total of three members. We anticipate appeals by owners/landlords and this appeals committee needs to be appointed and ready for appeal hearings and answers.

Mayor's letter from Chief Perdian announcing receipt of \$3,298.46 as a forfeiture of funds because of the Village of Windham's 2006 participation with the Portage County Drug Task Force.

The Windham Chamber of Commerce sponsored its first event on Sunday, September 16, 2007. A "Car Show" at the new Windham Pharmacy and T&J's restaurant locations. Seventeen cars were shown and the four hour event was successful.

There were no prior requests of guests to speak.

Finance Committee Report by Scott Garrett. After presenting the information, Phil made a motion to approve the Fiscal Officer's Expenditures for August in the amount of \$134,230.37 in checks and charges, etc. Check numbers 18924 through 19017 and 19020 through 19071 from the Primary Checking Account were paid during August. Check numbers 19018 and 19019 were voided during August from the Primary Checking Account. The motion was seconded by Scott. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Scott then made a motion to approve the August 2007 Bank Reconciliation with an all funds reconciled balance of \$721,835.27. This was seconded by Phil. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

The third and final reading of Ordinance No. O-2007-11 increasing the annual salary for the Village Administrator to \$6800.00 effective January 1, 2008 was given and on a motion by Scott and second by Phil and the following vote of Council was passed. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none.

A New Resolution No. R-2007-22 to approve the Official Certificate of Estimated Resources for the year beginning January 01, 2008 by the Budget Commission of Portage County was read. Marian made a motion to adopt with a second by Scott. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Safety / Personnel / Rules Committee by Rachel Barrett. Rachel gave the committee report for the September safety meeting.

A New Resolution No. R-2007-23 to employ David Comstock, Attorney at Law to represent the Village with respect to Formation of a Joint Fire District and any issues concerning the existing relationship with the Township and Fire Protection at a fee of \$105.00 per hour plus any court costs advanced. A motion was made by Scott and seconded by Phil. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none.

A New Resolution No. R-2007-24 to employ John Latchney, Attorney at Law to represent the Village with respect to an appeal of an award of Workers Compensation claim at a fee of \$125.00 per hour plus court costs advanced. Upon a motion by Rachel and second by Bob and the following vote the Resolution was carried. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none.

Bob Donham made a motion and Marian seconded the motion to approve the Pre-Disaster Mitigation Plan for Natural Disasters for Portage County adopted by the Portage County Commissioners on July 31, 2007. Resolution No. R-2007-17 was already adopted by Council on June 19, 2007 before actual receipt of the Plan Document from the County Commissioners. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

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

Utilities

Utilities report by Scott Garrett. Minutes have been handed out. The Village Administrator's letter dated August 29, 2007 to Ohio EPA requesting a reclassification of the Water Treatment Plant from a Class II to a Class I was presented. Also a letter from the Ohio EPA to Administrator Hankins approving the request and reclassifying the Water Treatment Plant as a Class I installation.

Streets and Sidewalks report by Jodi Minotti. A new Resolution No. R-2007-25 to make application for Issue One Funds for Storm Water Catch Basin Replacement Project which if the application is approved requires a Village Grant match of \$15,900.00 and a Grant of \$47,900.00. A motion was made by Bob and seconded by Scott to adopt the Resolution. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Housing Rental License Code by Phil Snyder. A second reading of Ordinance No. O-2007-13 adding section 1341.09 (d) of the Codified Ordinance establishing an increase in the re-inspection fee for Landlords notice of Violations.

A New Ordinance No. O-2007-14 amending 1341.12 (b) (1) of the Codified Ordinances to increase the fee for filing an appeal with the Housing Appeals Board from \$50.00 to \$100.00 was given a first reading.

A New Ordinance No. O-2007-15 adding Section 1341.03 (d) (3) of the Codified Ordinance of the Village to require all Trash containers be placed out for collection a maximum of 24 hours was given a first reading.

A New Resolution No. R-2007-26 authorizing a Mortgage Release for 9636 Brook Court and 9510 Community Road for Neighborhood Development Services in order that these two Apartment Building can be torn down was presented. A motion was made by Marian and seconded by Scott for adoption. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. The motion carried.

Council's approval of the Appointments to the Housing Appeals Board. A motion was made by Marian to appoint Phil Snyder for a two year term until January 1, 2010 which was seconded by Scott. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

A motion was made by Phil to approve the Mayors Appointments of Mike Whan to serve a one year term until September 18, 2008 and Robert Cline to serve a three year term until September 18, 2010. The motion was seconded by Scott. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Village Buildings and Properties by Marian Garrett. Marian said that Maurice is drawing neigh to finishing the new offices. Marian then moved and Scott seconded the motion to approve up to \$7500.00 for Council Chambers renovation, landscaping outside the building and new garage doors for Streets and Sidewalks equipment to be paid out of RLF Fund. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Planning and Zoning Commission by Phil Snyder. Phil said they met and discussed the Zoning Appeals meeting.

Parks and Recreations by Phil Snyder. No meeting was held due to lack of a quorum.

Bicentennial Committee. Rachel made a motion and Scott seconded the motion to accept Sonya's resignation as chair of this committee and appoint Kelly Meszaros as chair. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Economic Development and Long Range Planning by Jodi Minotti. – No report.

Tax Incentive Review Board by Marian Garrett & Scott Garrett. – No report.

Records Commission by Scott Garrett. – No report.

Village Solicitor report by Mark Manlove. – No report.

Guest Recognition. Francis Ballard made several comments about an ongoing police investigation.

Chief Perdian spoke about the 'Catch a Kid' Program which identifies a child from 11 to 15 years of age who is doing something worthy of recognition and reinforces positive activities.

Marian moved and Rachel seconded and with all in favor the meeting was adjourned at 8:15 PM.

Respectfully submitted,

Attest

Lloyd C. Billman, Clerk of Council

C. James Moore, Mayor