

reading and voted upon). The last correction was Ordinance O-2009-7 which should have the word INTERIM inserted before SOLICITOR.

Mr. Snyder moved to accept the minutes with the corrections as noted above and 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.

Village Fiscal Officer reports, Lloyd Billman The Village Fiscal Officer gave the Income Tax Revenue for February 2009 year to date as \$93,793.05 and stated that of this total, \$7,340.10 is due to estimated payments from declarations.

The Fiscal Officer gave expenditures for the month of February 2009 in the amount of \$167,205.04 in checks, charges, etc. Check numbers 21907 through 22063 were paid from the Primary Checking Account during February with no checks voided during the month.

The Fiscal Officer stated that the February 2009 Bank Reconciliation with an all funds reconciled balance was \$697,663.07

The Fiscal Officer requested that Council permit our Income Tax Administrator, Lori Lee, to attend a Wage & FMLA Seminar on April 27, 2009 at Mohican State Park Lodge & Conference Center (conference cost \$198.00 plus mileage and meals).

The Fiscal Officer requested that Council permit him to attend the 10th Annual Local Government Officials' Conference on April 23 and 24th at Hyatt Regency in Columbus (conference cost \$175.00 plus \$69.00 lodging plus mileage and meals).

Village Council President, Phil Snyder Mr. Snyder said he had nothing at this time.

Dispatchers, Police, Fire and Rescue Squad (EMS) reports for February 2009 by Phil Snyder.

Phil gave the monthly reports relating to both Police and Fire Departments.

Mayor Donham said he wanted to thank both of the Chiefs for their dedication and improving the safety forces in Windham.

Mayor's Communication and Correspondence

Mayor Donham said he had no communication and correspondence at this time; however he will be giving an update in the executive session on the Fire Department progress with the lawsuit against the Township.

Prior requests of guests to speak: The American Legion Post 674 Ladies Auxiliary had requested to speak, however nobody was present representing the Ladies Auxiliary.

Finance Committee Report by Scott Garrett. Mr. Garrett made a motion to approve the Fiscal Officers expenditures for the month of February 2009 of \$167,205.04 in checks, charges, etc. Check number 21907 through 22063 were paid from the Primary Checking Account during February and no checks were voided during February 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 then made a motion to approve the February 2009 Bank Reconciliation with an all funds reconciled balance of \$697,663.07 and the following monthly reports for the month ending February 28, 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 February 28, 2009: Cash Summary by Fund, Comparison of Budget versus Actual Receipts, Comparison of Disbursements and Encumbrances. This was seconded by Mr. Slusher. Ayes: Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher. Nays: None. Motion carried

Mr. Garrett made a motion to approve Lori Lee to attend Wage & FMLA Seminar April 27, 2009 at Mohican State Park Lodge & Conference Center (conference cost \$198.00 plus mileage and meals). Mr. Snyder seconded the motion. Vote of Council: Ayes: Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher. Nays: None. Motion carried.

Mr. Garrett made a motion to approve Lloyd Billman to attend Local Government Officials Conference April 23 and 24th 2009 at Hyatt Regency in Columbus (conference cost \$175.00 plus \$69.00 lodging plus mileage and meals). Mrs. Meszaros seconded the motion. Vote of Council: Ayes: Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher. Nays: None. Motion carried.

Mr. Garrett gave the first reading of Ordinance O-2009-8 AN ORDINANCE ESTABLISHING THE RATE OF PAY FOR THE COUNCIL OF THE VILLAGE OF WINDHAM.

Mr. Garrett read Resolution R-2009-10 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO AUTHORIZE REPAYMENTS TO UNDERPAID INDIVIDUALS DURING 2005, 2006 AND 2007 AND FORGIVE OVERPAYMENTS TO OTHER OVERPAID INDIVIDUALS DURING 2005, 2006 AND 2007 AND DECLARING AN EMERGENCY. Upon advice from our Solicitor that Resolutions should have three readings according to the Ohio Revised Code unless a motion to suspend the rules has been made and approved, Mr. Snyder moved and Mr. Garrett moved to suspend the rules. Vote of Council: Ayes: Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher. Nays: None. Motion carried.

Mr. Garrett then moved to adopt Resolution R-2009-10 which was seconded by Mr. Snyder. Vote of Council: Ayes: Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher. Nays: None. Motion carried.

Safety / Personnel / Rules Committee by Phil Snyder.

Mr. Snyder said he had nothing.

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

Utilities

Utilities report by Randy Slusher. Mr. Slusher said he had nothing to report on Utilities.

Streets and Sidewalks by Randy Slusher. Mr. Slusher said he has no report from Streets and Sidewalks.

Housing Rental License Code by Randy Slusher. .Nothing to report from Randy

Village Buildings and Properties by Randy Slusher. Mr. Slusher said he has nothing to report on Village Buildings and Properties.

Planning and Zoning Commission by Randy Slusher Mr. Slusher said he had nothing.

Parks and Recreations by Phil Snyder. Although they had no quorum, Mr. Snyder said they continued to have a discussion on the Park Earth Day.

Tax Incentive Review Committee with Linda Rininger as Representative: Mrs. Rininger said the committee was completely in favor of continuing with the present agreement. Mrs. Janet Esposito said that Harbison Walker has followed their agreement and was the only business to do so within the County. Mr. Snyder made a motion to accept the Tax Incentive Review Council's recommendations which was seconded by Mr. Slusher. Vote of Council: Ayes: Mrs. Rininger, Mr. Garrett, Mrs. Barrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried..

Economic Development and Long Range Planning by Phil Snyder – Nothing to report.

Guest Recognition. Mrs. Francis Ballard said she read a letter to Sound Off in the Record Courier which made us look bad. Someone wrote that you can't get any help from the Mayor, Council or the Police Department in the Village of Windham. We need to find out what we can do to correct the situation. We need to rectify the situation with Community Ambulance as well.

Marian Quiggle said he was speaking with someone who told him the Village and Township are splitting up. He said, We don't want the Township and Village to split up.

Pat Schafer asked when the roads will be fixed especially under the bridge next to the Hardware and on Spring Drive. Mayor Donham asked if this was a pothole issue, and was told the street is just crumbling and in very poor shape. Pat Schafer said she also understood there is a building scheduled to be torn down across from her and would like to know when so she can contact the relative of the occupant and arrangements can be made for the occupant to live with the relative in Florida.

The Mayor responded that there are four buildings scheduled to come down but they are all on Brook Court and do not include the building in question.

Fire Chief Simpson said the Fire Department is looking at moving the Fire Carnival to the Village Green and having fireworks. There will be no parade, but the fireworks will take the place of the parade. Mayor Donham said he doesn't see any problem with this.

Mr. Snyder then made a motion to enter into executive session which was seconded by Mr. Slusher in order to discuss an update upon the lawsuit against the Windham Township Trustees and invite into executive session former Mayor C. James Moore. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried and Council left to go into executive session at 7:37 PM.

Upon returning to Council Chambers, Mr. Snyder moved to return to regular session which was seconded by Mr. Garrett. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried and Council resumed regular session at 8:42 PM.

Mayor Donham said that there was mediation yesterday to sign an agreement with the Township Trustees concerning the Volunteer Fire Department which everyone believed was a done deal five weeks ago and the attorneys had drafted the agreement. It was learned during the mediation yesterday that there is no agreement on the part of the Township Trustees so the Village will be moving forward on what we have to do on levy issues and providing Fire protection to the Village.

Mayor Donham then called upon Solicitor Reitz who said there had been an issue raised about whether a Council Member could serve on the Park Board as a citizen. He said he could find nothing wrong with this; however a Council Member should not be the first choice.

Mr. Snyder then moved to adjourn the meeting which was seconded by Mr. Slusher. 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 8:45 PM.

Respectfully submitted,

Attest

Lloyd C. Billman, Clerk of Council

Robert W. Donham II, Mayor