

Village of Windham, Ohio
Minutes of the Regular Council Meeting

Held November 25, 2008

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

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

Note Scott Garrett was not present at the roll call but came in at 7:19 P.M. during the voting of Ordinance O-2008-22.

Also present, Village Solicitor Mark Manlove, Police Chief Edward Perdian, Fire Chief Clair Simpson, Village Administrator Maurice Hankins, C. James Moore, Bruce Rininger, Denise Bly, Bill & Kim Steiner and Jason Lamtman

The minutes of the October 28, 2008 Regular Council Meeting was reviewed. Phil Snyder made a motion to approve the minutes. The motion was seconded by Randy Slusher. Ayes: Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Village Fiscal Officer reports, Lloyd Billman. The Fiscal Officer stated that the Income Tax Revenue for the year ending October 2008 was \$600,425.67. Of this total, \$156,160.44 is due to estimated payments from declarations for tax year 2008 taxes which are revenue for calendar 2009.

The Fiscal Officer presented the expenditures for the month of October including checks, charges, etc of \$173,953.92. Check numbers 21279 through 21412 and 21414 through 21438 were paid from the Primary Checking Account during October. Check number 21413 was voided during the month of October.

The Fiscal Officer also presented the October Bank Reconciliation with an all funds reconciled balance of \$737,093.53 for the month of October.

Village Council President, Phil Snyder Mr. Snyder said he has no report at this time.

Dispatchers, Police, Fire and Rescue Squad (EMS) reports for October 2008 by Phil Snyder.

Phil gave the monthly reports relating to both Police and Fire Departments. Mayor Donham said that compared to last year this is a reduction of about 40% in complaints with a similar number of arrests.

Mayor's Communication and Correspondence

Mayor Donham said he would like to update council about the lawsuits with the Fire District and current status with EMS Ambulance service in executive session later in the meeting.

Prior requests of guests to speak: William Steiner, Director of Portage County Solid Waste District spoke about trying to bring about public awareness to recycling in our county.

Finance Committee Report by Linda Rininger. Mrs. Rininger read the Fiscal Officer's expenditures for the month of October 2008 of \$173,953.92 in checks, charges, etc. with check numbers 21279 through 21412 and 21413 through 21438 paid from Primary Checking Account during October. Check number 21413 was voided during October 2008. Mrs. Barrett made a motion to approve and Mr. Snyder seconded the motion. Ayes: Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mrs. Rininger read the Fiscal Officers October 2008 Bank Reconciliation with an all funds reconciled balance of \$737,093.53 and the following monthly reports for the month ending October 31, 2008: Fund Summary, Appropriation Summary, Revenue Summary, Payment Register, Charge Register, Expenditure Summary, Cash Summary by Fund and the following year-to-date reports through October 31, 2008: Cash Summary by Fund, Comparison of Budget versus Actual Receipts, Comparison of Disbursements and Encumbrances. Mr. Slusher made the motion to approve and Mr. Snyder seconded the motion. Ayes: Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Ordinance O-2008-22 was read by Mrs. Rininger: BEING AN ORDINANCE AUTHORIZING TRANSFERS AND APPROPRIATIONS FOR THE VILLAGE OF WINDHAM AS SET FORTH BELOW AND DECLARING AN EMERGENCY. Mr. Snyder made a motion to suspend the rules which was seconded by Mrs. Meszaros. Ayes: Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mr. Snyder then made a motion to adopt Ordinance O-2008-22 which was seconded by Mrs. Meszaros. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mrs. Rininger read Resolution R-2008-84 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO MAKE A TRANSFER OF \$3,698.07 FROM THE GENERAL FUND 1000 TO THE PERMANENT IMPROVEMENT FUND 4901 AND DECLARING AN EMERGENCY. Mr. Snyder made a motion to adopt the Resolution which was seconded by Mrs. Meszaros. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Resolution R-2008-85 was read by Mrs. Rininger A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CREATE THE FOLLOWING THEN AND NOW PURCHASE ORDERS AS LISTED BELOW. Mr. Snyder made a motion to adopt the Resolution which was seconded by Mrs. Meszaros. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: Mrs. Rininger. Motion carried.

Resolution R-2008-86 was read by Mrs. Rininger A RESOLUTION APPROVING THE MUNICIPALITY CONTRACT WITH THE OFFICE OF THE PUBLIC DEFENDER OF PORTAGE COUNTY OHIO AND DECLARING AN EMERGENCY. Mr. Garrett made a motion to adopt the resolution which was seconded by Mr. Snyder. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mrs. Rininger read Resolution R-2008-87 A RESOLUTION ADOPTING A POLICY FOR CHECKS WHICH HAVE BEEN ISSUED BY THE VILLAGE OF WINDHAM AND HAVE

NOT BEEN CASHED WITHIN THE ALLOTTED TIME. Mrs. Barrett made a motion adopt the resolution which was seconded by Mr. Slusher. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Mayor Donham requested that the motion to enter into executive session to discuss payroll issues be tabled until the end of the meeting. There was no objection.

.Safety / Personnel / Rules Committee by Phil Snyder. Mr. Snyder gave the first reading of Ordinance O-2008-23 AN ORDINANCE DECLARING IT NECESSARY TO ESTABLISH AN AMENITIES POLICY FOR THE EXPENDITURE OF PUBLIC FUNDS FOR QUASI-PUBLIC PURPOSES BY THE VILLAGE OF WINDHAM DECLARING AN EMERGENCY AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES.

The reading of Ordinance O-2008-24 was tabled until after the executive session.

Mr. Snyder gave the first reading of Ordinance O-2008-25 AN ORDINANCE ADDING SECTION 155.951 TO THE CODIFIED ORDINANCE OF THE VILLAGE OF WINDHAM IN ORDER TO DEFINE SERVICE TIME AND EARNED TIME FOR VILLAGE EMPLOYEES IN ORDER TO CLARIFY VILLAGE POLICY DECLARING AN EMERGENCY AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES.

Resolution R-2008-88 was read by Mr. Snyder. A RESOLUTION APPROVING THE HIRING OF MICHELLE CRAWFORD AS PART-TIME POLICE DISPATCHER FOR THE VILLAGE OF WINDHAM AT A RATE AS SET FORTH IN THE VILLAGE PAY ORDINANCE EFFECTIVE NOVEMBER 19, 2008 AND DECLARING AN EMERGENCY. Mr. Slusher made a motion to adopt the resolution which was seconded by Mr. Snyder. Ayes: Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: Mrs. Barrett, Mrs. Rininger. Motion carried.

The motion concerning a contract with Community EMS District was tabled until after the executive session.

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

Utilities

Utilities report by Scott Garrett. Mr. Garrett made a motion to approve the property owner notification letter to inform them of the change of the new billing requirements that will be enforced on the January billing statements. The motion was seconded by Mr. Snyder. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Abstain: Mrs Meszaros. Motion carried.

Streets and Sidewalks by Randy Slusher. Mr. Slusher said he has nothing at this time.

Housing Rental License Code by Phil Snyder. Mr. Snyder said Tom Brett has been getting on top of violations.

Village Buildings and Properties by Rachel Barrett. Mrs. Barrett read resolution R-2008-89 A RESOLUTION ACCEPTING THE DONATION FROM LOWES OF MATERIALS VALUED AT \$800.00 FOR IMPROVEMENTS FOR THE POLICE DEPARTMENT RECOGNIZING JASON LAMTMAN FOR HIS EFFORTS TO SECURE THE DONATION AND DECLARING AN EMERGENCY.

(Clerks note – the original Resolution as read did not have the wording recognizing Jason Lamtman for his efforts to secure the donation. The additional wording was requested by Mrs. Barrett.)

Mrs. Meszaros made a motion to adopt the resolution which was seconded by Mr. Snyder.
Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder.
Nays: None. Motion carried.

Mrs. Barrett then made a motion to permit Maurice Hankins to purchase an outside letter board at an approximate cost of \$345.00 which was seconded by Mrs. Rininger. Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Planning and Zoning Commission by Phil Snyder. Mr. Snyder said there would be a zoning appeals following the next zoning meeting.

Parks and Recreations by Kelly Meszaros. Mrs. Meszaros said there was no meeting of the Parks and Recreation committee.

Resolution R-2008-79 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO ESTABLISH A PARKS AND RECREATION FUND NUMBER 2041 FOR THE PURPOSE OF PROVIDING FOR AND MAINTAINING PARKS AND DECLARING AN EMERGENCY. was tabled pending further investigation.

Bicentennial Committee by Kelly Meszaros Mrs. Meszaros said we there is one more meeting to go for the Bicentennial Committee. The Time Capsule is to be sealed on December 13th at 4:00 P.M. with a reception at the Ravenna Historical Society.

Economic Development and Long Range Planning by Randy Slusher – Nothing to report.

Village Solicitor report by Mark Manlove. – Mr. Manlove said he has spoken with Tom Brett and has provided him some housing statutes and is looking at getting condemnations of some of the properties which are not in compliance.

Guest Recognition. None.

Mr. Snyder made a motion to enter into executive session to discuss payroll related issues, legal issues for the lawsuit with the township and contract issues with Community Ambulance. The motion 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. Mr. C. James Moore, former mayor and Mr. Lloyd Billman, Fiscal Officer were invited to go into executive session with Council. Council went into executive session at 8:38 P.M.

At 9:26 Mr. Snyder moved to return from executive session and return to regular session. Mrs. Barrett seconded the motion. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

Ordinance O-2008-24 AN ORDINANCE AUTHORIZING THE VILLAGE OF WINDHAM TO WITHDRAW FROM THE WINDHAM TOWNSHIP FIRE DISTRICT UNDER SECTION 505.37(C) OF THE OHIO REVISED CODE DECLARING AN EMERGENCY AND

REPEALING ALL PRIOR INCONSISTENT ORDINANCES was given a first reading by Mr. Snyder.

A motion was made by Mr. Snyder to authorize the Mayor and Village Fiscal Officer to enter into a contract with Community EMS District to respond to calls when Windham Fire Rescue is not available for an amount not to exceed \$250.00 per call, in addition to the right to bill for those calls. The motion 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.

Mr. Snyder moved to authorize repayment of a Village employee who had been overpaid during 2005 and 2006 by \$179.76. The repayment will be in the amount of 25 payments of \$6.91 with the final payment of \$7.01 to be made on 10/30/2009. Mrs. Meszaros seconded the motion. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried.

There being nothing further, Mr. Snyder made a motion to adjourn which was seconded by Mrs. Meszaros. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder. Nays: None. Motion carried and the Council meeting was closed at 9:29 P.M.

Respectfully submitted,

Attest

Lloyd C. Billman, Clerk of Council

Robert W. Donham II, Mayor