

Village of Windham, Ohio
Minutes of the Regular Council Meeting
Held May 15, 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,
 Sonya Edwards – present, Jodi Minotti – present,
 Marian Garrett – present, Phil Snyder – present

Also present, Village Solicitor Mark Manlove, Village Administrator Maurice Hankins, Nancy Packard, Marsha Byich, Bob Edwards, Bill Eckman.

The minutes of the April 17, 2007 Regular Council Meeting were reviewed. Marian Garrett made a motion to approve the minutes. Seconded by Rachel Barrett. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Village Fiscal Officer reports, Lloyd Billman. The Fiscal Officer reviewed the expenditures for the month of April including checks, charges, etc was \$187,119.47 and the April Bank Reconciliation was given with the all funds balance of \$832,210.90 for the month. There will be two individual coming from Local Government Services tomorrow morning to go over the year of 2005 and first three months of 2006 to reconcile the bank statements.

Village Council President Sonya Edwards. No report.

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

Mayor Moore presented the Mayor's report to Council. Mayor Moore presented a April 19, 2007 letter to the Jeff Stanley Family with a copy of the Council Resolution naming Ball Field No. 1 Jeff Stanley Field.

The Mayor presented a letter dated April 19, 2007 letter to O.D.O.T. planning Manager with the enclosure of Council's consent Resolution to do preventative maintenance on State Route 303, E. Center Street in the Village Corporation limit in the year 2008.

The Mayor presented a letter dated April 19, 2007 to the Township Trustees concerning the possible purchase of a 2006 Demonstrator Ambulance.

The Mayor presented a letter dated April 20, 2007 to Dominic Cioffi, Superintendent of Liberta Construction concerning a final payoff (after retainage) of \$1666.00 for Final Pay Estimate No. 10.

The Mayor presented a letter dated May 3, 2007 with the enclosure of the signed N.P.D.E.S. Short Form Professional Services purchase order for their completion and a check for \$200.00 for the State E.P.A. Application Fee.

The Mayor presented a notice sent to Village Businesses to come to a Chamber of Commerce Organizational Meeting on May 22, 2007 at T.J. Restaurant signed by the Mayor and Police Chief

There were no prior requests of guests to speak.

Finance Committee Report by Scott Garrett. Scott made a motion to approve the Fiscal Officer's Expenditures for April in the amount of \$187,119.47 in checks and charges, etc. The motion was seconded by Phil. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Scott then made a motion to approve the April 2007 Bank Reconciliation with an all funds reconciled balance of \$832,210.90. This was seconded by Sonya. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Scott then made a motion to approve receiving the Cortland Bank's donation of used office furniture. The list has been provided to Council. Rachel seconded the motion. The letter of appreciation will be sent by the Mayor. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Scott then presented a new Resolution No. R-2007-13 authorizing the Village Fiscal Officer to pay William Szymanski for up to 4 weeks of unused Vacation Days upon his retirement on May 31, 2007. Scott made the motion to adopt the motion which was seconded by Phil. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

A new Resolution No. R-2007-14 authorizing the Mayor and Fiscal Officer to enter into a one (1) year contract with Gordon Fischer at the rate of \$150.00 per month to provide Technical Support and Services to the Village Police Department and other departments as needed was read by Scott and moved for adoption by Scott and seconded by Phil. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

A new Ordinance No. O-2007-5 to amend Section 155.11 of the Codified Ordinance to provide compensatory time as well as overtime for full time Village Employees to be effective March 17, 2007. A motion to suspend the rules was made by Phil and seconded by Scott. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried. A motion for adoption was made by Phil and seconded by Rachel and after some discussion a vote was taken. Ayes: R. Barrett, S. Edwards, S. Garrett, J. Minotti, P. Snyder. Nays: M Garrett. Motion carried.

A new Ordinance No. O-2007-6 authorizing the Mayor and Fiscal Officer to enter into a contract with the Board of Education for a parcel of land behind the current Municipal Building for a Parking Lot was read by Scott and a motion to suspend the rules was made by Scott and seconded by Rachel. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried. The motion for adoption was made by Scott and seconded by Phil. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

A new Resolution No. R-2007-15 approving the bid submitted by Triple Diamond Excavating to install a Parking Lot behind the current Municipal Building and authorizing the Mayor and Fiscal Officer to enter into an agreement with Triple Diamond Excavating at a cost not to

exceed \$20,095.00 and authorizing payment from the CDBG Revolving Loan Funds (RLF) Account. The motion was made by Scott and seconded by Marian. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

The proposed OPWC Project Fund State Issue I application for Storm Sewer Catch Basin improvements. The Village matching funds of \$15,950.00 would be needed for a total project cost of \$15,950.00 would be needed for a total project cost of \$63,800.00. The motion to adopt was made by Scott and second by Sonya. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

The Police Department digital recording system requested by Chief Ed Perdian at a cost not to exceed \$10,000.00 and the actual terms and cost to be approved by the Mayor and Fiscal Officer. There were two quotes presented with one at \$10,000 and a second one at \$6,800. The funds would be paid from the General Fund. The motion was made by Scott and seconded by Phil. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Safety / Personnel / Rules Committee by Rachel Barrett. Rachel spoke about the committee report for May 2007. She then spoke about the Hazmat charge for a yearly fee. There was a presentation given to Bill Eckman for his generous donation of body work on our police cruisers to restore their appearance.

A motion was made by Rachel and seconded by Phil to enter into executive session to discuss legal issues and personnel matters at 7:44 PM. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

The council returned at 8:34 PM and upon a motion by Rachel and second by Marian agreed to return to normal session. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

A notification of the second meeting of the Joint Fire District Exploratory meeting is set for tomorrow night, May 16th at 6:30 PM at the High School Board of Education, South Main Street Entrance.

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

Utilities

Utilities report by Scott Garrett. Phil said minutes were passed out. He asked Maurice to speak about Scotchman Electric on our traffic signals at the corner of E. Center and Main Streets and the offer for Parking Lot lights to be installed at the rear of our parking lot near the Water Tower. Maurice also sent a request to EPA to have our specifications lowered from at Class II to Class I for our Water Plant. The EPA said our chances are very good. Maurice also found and fixed a major 4 inch water line break at Oak Court across from Community. Carol sent in some paperwork regarding discounts for senior citizens which will be reviewed later. The time clock has been decided by the committee to be removed from the hallway between Administration and the Police Department and moved to the Water Plant for their use. The reporting of the Police Department approved by the Police Chief will be used for payroll.

Streets and Sidewalks report by Phil Snyder. Phil spoke about the parking situation in the project. There will be two handicap signs posted. Phil then made a motion to approve the Administrator's recommendation and the Mayor's approval to hire Bruce Douglas Rininger at the part-time laborer position to begin employment

on May 16, 2007. The motion was seconded by Marian. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Housing Rental License Code by Jodi Minotti. Jodi said she has no report other than what the building inspector has given out as his draft copies. The Mayor also mentioned that there were inspection reports turned into Carol today by the building inspector.

Village Buildings and Properties by Marian Garrett. Marian spoke about revising the state community distress grant with three priorities with number one for Equipment Storage Buildings to hold salt and filtered sand at a cost of \$64,300, two resurfacing five streets at a cost of \$400,000 and three for fire hydrants at a cost of \$40,500. Marian made a motion that we submit an application to the Ohio Department of Development for a Community Distress Grant which was seconded by Sonya. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Marian made a motion to receive the offer of mulch from Doll Lumber which was seconded by Phil. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried. The Mayor will send a letter of appreciation.

Planning and Zoning Commission by Phil Snyder. Phil had no report at this time. The Mayor said one of the things at the Zoning Meeting was that we do not need any Zoning Permit for the renovation which is going for the new Administration Offices. The Cortland Bank will be asking for a variance for the height of the fence next to the new Bank Building.

Parks and Recreations by Phil Snyder. Phil said the Hot Stove Association came to the Parks and Recreation last meeting asking for a donation of top soil which would cost about \$500. Phil then made a motion which was seconded by Scott that we donate \$500 for top soil for the Village Park baseball diamonds. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried. This will come from the General Fund for parks and recreation.

Phil has made arrangements to have a sign made for Jeff Stanley field for the ball field number one. There will be a framed copy of the Resolution presented to the Stanley family as well.

Bicentennial Committee by Sonya Edwards. Sonya said she had no report at this time.

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

Tax Incentive Review Board by Marian Garrett & Scott Garrett. – They have met and reviewed our operating agreement with Harbison Walker and it was a unanimous recommendation of the committee to renew the credit for one more year. Marian moved to adopt this which was seconded by Sonya. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Marian then talked about approving the inside milage rates and amounts as sent by the Portage County Auditor's Office. Marian moved and Rachel seconded. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Records Commission by Scott Garrett. – No report.

Solicitor report by Mark Manlove. – No report.

Guest recognition – none.

Marian then read Sonya Edward's letter of resignation from Village Council due to Neighborhood Development Services Incorporated will no longer be able to assist any mutual clients that my company serves as long as she is a Council Member. She therefore has no choice but to resign effective today. The Mayor said Sonya has served the Village very well and hopes we can return her back on the Council again. Marian made a motion to accept with sincere regrets and Rachel seconded the motion. Phil Snyder echoed the reluctance and regret that we have to accept this resignation. Mayor Moore then explained the ethics situation and said we would try to get an opinion from the state ethics commission. Ayes: R. Barrett, S. Edwards, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Marian moved and Rachel seconded and with no objections the meeting was adjourned at 9:06 PM.

Respectfully submitted,

Attest

Lloyd C. Billman, Clerk of Council

C. James Moore, Mayor