Village of Windham, Ohio

Minutes of Council Meeting

Held March 24, 2015

At 7:02 PM 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	Deborah Blewitt – present
	Scott Garrett – absent	Sheryl Prem – present
	Linda Rininger – present	Randal Slusher – present

Also present were: Butch Elser, Butch Christy, Jim Moore, Jim Pace, Denise Bly, Dave Fall, Paul Fitzgerald, Ryan Wagner, Bill Steiner, Eric Breiding, Bill Pennington, and Stacy Wilmington.

Mrs. Barrett made a motion to approve the minutes of the February 24, 2015 Council Meeting which was seconded by Ms. Blewitt and carried by a 4 – 0 vote, with Mr. Slusher abstaining.

Fiscal Officer Taylor gave the Financial Reports as follows: The Income Tax collected year to date February 28, 2015 was $75,243.39. The expenditures for the month of February 2015 were $154,898.48 in checks and charges. Check numbers 30942 through 31032 were paid from the primary checking account during February 2015 with no checks voided during the month. Direct Deposit Vouchers 65-2015 through 85-2015 and 89-2015 through 103-2015 were also paid during the month of February 2015. The all funds reconciled balance for February 2015 was $1,394,556.26.

Village Council President's report by Deborah Blewitt, the fire and rescue report was included in the council packets. The spring clean-up is April 24 – 26 and we will be splitting the cost with the township. Our share is $1500. Dave, Ryan, and Bill will be attending the Portage County Youth Program meeting on Thursday, March 26, 2015 at 8:30 a.m.

Dispatchers Police, Fire Rescue Squad Report for February 2015 by Deborah Blewitt. Ms. Blewitt made a motion to accept the report which was seconded by Mrs. Rininger. Mrs. Blewitt explained the breakdown of the report. This passed by a 5 – 0 vote.

Mr. Garrett came in at 7:08 p.m.

Mayor's Communication by Rob Donham – Mr. Donham will save his comments for throughout the agenda.

Prior requests of guests to speak – Bill Steiner, from the Solid Waste District, spoke about the solid waste plan. It outlines how they are going to run the district for the next four years. They are looking for commitments from the communities to continue service with them. He talked about the benefits of curbside pick-up. He said he would sit down with the mayor and the township and discuss curbside pick-up. The cost for curb-side is relatively low, $2.25 per month, per household. He is here tonight looking for support that we are going to continue using their services. The mayor said he is just looking for approval from council to continue using their service. He said the drop-off location is an eye-sore and curb-side is much more convenient. Butch Elser from the Tavern spoke about "Jam in the Ham". It's a poker run

ending at the Tavern. They will be selling wristbands and $5 of every wristband sold will go to the Renaissance Center. He is asking for an off duty police officer to be there as well as his own security. There will be three bands playing, the first band starting at 6:00 p.m. and the last band ending at 11:00 p.m. They will be serving food. He is asking for a permit to hold the event. Rob said that we will get him a permit for the event. He said he has been getting complaints about music and noise. Eric Breiding confirmed that every time they get a complaint they go and when they are in the parking lot with the front door closed they cannot hear any noise, therefore there is no breaking the noise ordinance. The date for this event is June 6, 2015. They are also having a Chinese Auction and every dollar raised from this is going directly to the Renaissance Center.

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officer's expenditures for the month of February 2015 in the amount of $154,898.48 in checks and charges with check numbers 30942 through 31032 paid from primary checking during February 2015 with no checks voided during the month. Direct Deposit Vouchers 65-2015 through 85-2015 and 89-2015 through 103-2015 were also paid during the month of February 2015. Ms. Blewitt seconded the motion which carried by a 6 – 0 vote.

Mr. Garrett made a motion to approve the all funds reconciled bank balance for February 2015 in the amount of $1,394,556.26 and the following monthly reports distributed to Council for the month ending February 28, 2015: Fund Summary, Expenditure Summary, Cash Summary by Fund and the following Year to Date Reports through February 2015: Cash Summary by Fund, Comparison of Budget and Appropriated. Mrs. Rininger seconded the motion which carried by a 6 – 0 vote.

Mr. Garrett read Resolution R-2015-5 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CREATE A THEN AND NOW PURCHASE ORDER(S) TO PAY <u>OHIO EDISON, LOVE INSURANCE, DOMINION EAST OHIO, AND COSE/MEDICAL MUTUAL</u> AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mr. Slusher and carried by a 6 – 0 vote. Mrs. Rininger then pointed out that there was a typo, it said Ohio Edison where it should have said Dominion East Ohio in the actual resolution. Mr. Garrett made a motion to amend the resolution to make the correction and Mrs. Rininger seconded this. It was carried by a 6 – 0 vote. Mr. Garrett made a motion to adopt Resolution R-2015-5, as amended, which was seconded by Mrs. Rininger and carried by a 6 – 0 vote.

Mr. Garrett read Resolution R-2015-6 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER TO MAKE THE FOLLOWING TRANSFERS BETWEEN THE WATER AND SEWER OPERATING FUNDS, RESPECTIVELY, AND THE RESPECTIVE DEBT SERVICE AND DEBT SERVICE RESERVE FUNDS TO MEET CALENDAR 2015 DEBT SERVICE REQUIREMENTS AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mrs. Prem and carried by a 6 – 0 vote. Mr. Garrett made a motion to adopt Resolution R-2015-6 which was seconded by Mr. Slusher and carried by a 6 – 0 vote.

Mr. Garrett read Resolution R-2015-7 **A RESOLUTION RETAINING THOMAS REITZ, ATTORNEY AT LAW, AS SOLICITOR FOR THE VILLAGE OF WINDHAM, OHIO, AND FIXING HIS FEES FOR THE PERIOD FROM JUNE 1, 2015 TO MAY 31, 2016 AND DECLARING AN EMERGENCY.** (See attachment) This was a first read.

Safety, Personnel, Rules (SPR) by Deborah Blewitt

Ms. Blewitt read Ordinance O-2015-3 **AN ORDINANCE AMENDING SECTION 121.01 RULES FOR GOVERNANCE AND BUSINESS AND CONDUCT OF COUNCIL** (See Exhibit A) and made a motion to suspend the rules which was seconded by Mr. Garrett and carried by a 4 – 2 vote, with Mrs. Rininger and Mrs. Barrett being the dissenting votes. Mayor Donham then went on to explain that the only things that were changed was what was italicized.

Utilities by Rachel Barrett

Mrs. Barrett read Ordinance O-2015-2 **AN ORDINANCE AMENDING SECTION 927.04 PAYMENT AND COLLECTION REQUIREMENTS** (See Exhibits A and B) and made the motion to adopt Ordinance O-2015-2, which was seconded by Ms. Blewitt. Mayor Donham then went on to explain the reasoning behind this legislation, which is to just charge a flat rate late fee and that the shut-off and turn-on fees will be left up to the discretion of the Village Administrator. Tom Reitz explained that there are regulations that are established by the Village Administrator that determine when it costs the staff additional time and expense to turn-on and shut-off services. Mrs. Prem did not agree with this. This motion was carried by a 4 – 3 vote, with Mrs. Rininger, Mrs. Barrett, and Mrs. Prem being the dissenting votes and Mayor Donham voting yes to break the tie.

Service Committee by Randall Slusher—Mr. Slusher had nothing at this time.

Economic Development by Sheryl Prem – Mrs. Prem talked to Lemon & Lemon the assisted living development. Lemon & Lemon wants a market analysis done that will cost between $3000 and $6000. They did say that this development would bring in a million dollars to the economy. There would be 70 units and 40 full-time employees. Mrs. Prem is still working on the bus stops.

Parks and Recreation by Randall Slusher – Mr. Slusher had nothing at this time.

Planning and Zoning by Deborah Blewitt—Ms. Blewitt heard that they are tearing the burned building in Brook Court down.

Solicitor's Report by Tom Reitz—Mr. Reitz had nothing at this time.

Guest Recognition – Paul Fitzgerald with the American Legion said that they want to run a farmer's market out of the parking lot at the American Legion one day a week during the summer and also a flea market once a month. The farmer's market would be on Tuesdays. He wanted to know if he needed any kind of permit or permission. Mayor Donham was not sure and said he would have Tom Reitz look into it. Butch Christopher with the American Legion talked about the new veterans plaque for the Village green. They have set an account up at Cortland Bank so that people can make donations. Mayor Donham said that the Village can participate in the cost of the plaque, but we cannot make a donation. Public entities are not allowed to make donations to other public entities. The Mayor also said we can possibly put a flyer in the water bill. Denise Bly from the Villager wanted to know the name of the developer that Mrs. Prem is working with, which is Lemon & Lemon. She also wanted to know the status of the new administration building and Mayor Donham told her it is in architectural design and we are looking at a bid date in May. Mrs. Bly also wanted to know if there would be any

decisions made in executive session this evening. The mayor said no. Stacy Wilmington, Tim Wilmington's wife said that she is here to answer any questions about Tim's health.

Ms. Blewitt made a motion to enter executive session to discuss employee compensation and eligibility to return to full-time status, which was seconded by Mr. Slusher and carried by a 6 – 0 vote at 8:02 p.m.

Mrs. Rininger made a motion to return from executive session, which was seconded by Mrs. Prem and carried by a 6 – 0 vote at 8:23 p.m.

Mayor Donham entertained a motion to authorize him to extend our contract with the Solid Waste District for recycling and we will have a Resolution for that at the next council meeting and also for him to pursue curbside pick-up. Mrs. Rininger made the motion, which was seconded by Mr. Slusher and carried by a 6 – 0 vote.

Council then discussed the May calendar. They decided on April 7th and 16th for the committee meetings and April 30th for the council meeting.

Mr. Slusher made a motion to adjourn the meeting which was seconded by Mrs. Rininger and by unanimous vote the meeting was adjourned at 8:30 PM.

Respectfully submitted,

Attest,

Cheree M. Taylor, Clerk of Council

Robert W. Donham II, Mayor

**** NOTE: THESE MINUTES ARE SUMMARY BY DIRECTION OF COUNCIL ****

All Council & Committee Meetings will be held in Windham Council Chambers, unless otherwise noted.