

# Village of Windham, Ohio

*"In the heart of the Western Reserve"*

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## **MAYOR'S YEAR 2006 ANNUAL REPORT**

(Ohio Revised Code 733.41)

By

C. James Moore, Mayor

(January 16, 2007)

In 2006 we had many difficulties and accomplishments. Our accomplishments countered the difficulties and I believe we are making a turnaround with improvements in several areas.

### **VILLAGE FINANCIAL CONDITIONS**

A couple of large debts were paid off in 2006, which were as follows:

- Bureau of Workers Compensation \$109,000 (for 2003 & 2004 debts)
- State Audit for the year 2004 audit \$35,710. This audit was more than double the cost of a one-year audit due to the 2004 books not in balance and problems reconciling the books.
- Village insurance premiums amounting to \$20,000 behind.

In order to pay off these debts and stay within our 2006 budget, it was necessary to reduce the Police Department Budget by \$2,500 a month in July.

Furthermore, we collected more income taxes in 2006 than expected, which amounted to \$112,353 more than collected in 2005. The total Income Taxes collected for 2006 was \$520,747.54. We owe much appreciation to our administration staff, Lloyd Billman and Lori Lee. The additional revenue has helped boost our General Fund, therefore, promoting the health, safety and welfare of our Village.

Currently there is approximately \$185,930.18 owed to the Village in individual income taxes. This amount is what is currently past due, what is being paid on and what has been sent to collection. There is approximately \$64,166.98 in collections.

In October, we paid off the Cortland Bank \$300,000 loan obtained in the year 2003. The \$8,333.33 monthly loan payment that we were making, can now be used for other General Fund expenditures and services in 2007.

We settled one of the lawsuits against the Village by a former Fiscal Officer for \$7,500. The settlement prevented the risk of costing the Village even more in further litigation on this lawsuit and possibly having to come up with the funds that would have reduced our Village services elsewhere.

Another lawsuit, Jim's Fuel & Deli vs. Windham Village, was settled by a court trial in July in favor of the Village. Some information about that lawsuit is in this annual report under **Water, Wastewater, Streets and Infrastructures** (page 4).

Our December 31, 2006 General Fund balance was \$96,353.01. One year ago on December 31, 2005, our balance was only \$1,607.30.

#### **OFFICE STAFF AND ADMINISTRATION CHANGES IN 2006 WERE AS FOLLOWS**

- Fiscal Officer, Shelley Craine, resigned effective April 21, 2006 for a job elsewhere.
- Lloyd Billman, a township resident, who was the Income Tax Administrator, was appointed by the Mayor and approved by Council as the Fiscal Officer beginning April 22, 2006. This is the third change in fiscal officers since 2003.
- Lori Lee, a Warren resident, was hired as the Income Tax Administrator on April 22, 2006 to replace Lloyd Billman. This is the third change in income tax administrators since 2003.
- Village Administrator and Street Superintendent, Kevin Knight, resigned his position in November for a job elsewhere.
- Maurice Hankins was appointed in December by the Mayor and approved by Council to replace Kevin Knight as the Village Administrator. Maurice was a former Mayor, Assistant Fire Chief and served on the Board of Public Affairs.
- Police Chief, Jack DeSalvo, a township resident, accepted retirement and resigned on October 27, 2006.

- Employee Bill Pennington, was promoted to Streets Superintendent replacing Kevin Knight.
- Edward Perdian, a Garrettsville resident and Moreland Hills Police Officer, was hired in November as the new Chief of Police, replacing former Chief Jack DeSalvo.

## **COUNCIL MEMBER CHANGES IN 2006**

Council member, Robert Dunham, resigned in March and was replaced by Sonya Edwards, who was appointed by Council. Council member, Jason DeBolt, resigned in December. A new member will be appointed by Council at the January 2007 meeting to fill DeBolt's three (3) year unexpired term.

## **POLICE DEPARTMENT**

We started off the year 2006 with four (4) fulltime officers, which included the chief. One of the fulltime officer works in the Portage County Drug Task Force. We also had five (5) part time officers.

Chief DeSalvo went on medical leave in June, which reduced our fulltime officers to two (2) actually working in the Village along with the five part time officers. Chief DeSalvo remained on medical leave until he retired in October.

From June to mid November 2006, we were without an active Chief of Police. As previously stated, Edward Perdian, a 27-year police officer at Moreland Hills village, was appointed by the Mayor and approved by Council.

Due to a \$50,000 budget shortage, the police department hours had to be reduced beginning in July. While this reduction of hours caused less police coverage, we were able to maintain 24-hour police coverage with at least one officer per shift.

Our involvement in the Portage County Drug Task Force resulted in undercover work resulting in several arrests in Windham Village and Township.

The total police department dispatchers reports of activity can be found on the Village of Windham Website ([www.windhamvillage.com](http://www.windhamvillage.com)).

## **FIRE DEPARTMENT AND FIRE DISTRICT**

The Fire Department shows 39 members in 2006. A breakdown of our fire department personnel is as follows:

- Firefighters who are EMT certified... 11

- Firefighters who are in training for EMT certification... 3
  - Firefighters only... 18
  - Fire department members who are not firefighters, but are EMT certified... 5
  - Cadet firefighters... 4
- 
- 27 Fire department members reside in the Village
  - 8 Fire department members reside in the Township
  - 4 Fire department members reside in other communities

The Village dispatcher reports for 2006 show that there were 125 fire calls and 464 ambulance calls to the village and township combined. The breakdown is as follows:

- |                              |     |
|------------------------------|-----|
| • Fire calls – Village       | 37  |
| • Fire calls – Township      | 43  |
|                              |     |
| • Ambulance calls – Village  | 359 |
| • Ambulance calls – Township | 105 |

Year 2006 was the third consecutive year that the Village Council and Township Trustees have not had a Fire Department / Fire District Operating Agreement.

Council passed a resolution in June 2005 to form a Joint Fire District with the Township Trustees, which would provide a fair board with voices and voting members from the Township and the Village. In 2005 and 2006, Mayor and Council and the Trustees communicated about an operating agreement and an exploratory committee for a Joint Fire District. During our last meeting with the Trustees on June 1, 2006, the Village discussed and made proposal to the trustees. Two letters to the Trustees followed the May meeting encouraging them to counter propose; however, the trustees sent Mayor and Council a letter four (4) months later in October 2006, without any counter proposal. Their letter was a refusal to continue negotiating on an operating agreement and refusal to use an exploratory committee for recommendations on a Joint Fire District.

**In 2007, Mayor and Council needs to pursue its 2005 resolution on a Joint Fire District.** This is in order to have a voice and vote on the spending of Village tax dollars on fire equipment, fire department operating expenditures, and other important fire and ambulance emergency issues. The trustees have declared the operating agreement negotiations are over.

Our Village municipality and its residents have the following interests concerning fire and emergency:

- The fire station is located on Village owned real estate in front of the Village water tower.
- The Village provides free water services for the Village and Township, firefighting and for fireman training. Village residents pay for the water, the hydrants, maintenance of the lines, etc. in their water/sewer bills.
- The fire station was paid for with both Village and Township residents tax dollars. Both have an equal investment in the Fire Station.
- The fire equipment was also paid for by the village and township residents fire equipment tax levies.
- The fire department runs daily on the Village and Township residents operating levy tax dollars.
- Our Village dispatchers handle all of the fire and ambulance emergency calls.

**A Joint Fire District under the Ohio Revised Code is the best resolution and solution to the many years of differences between the Village and Township representatives.**

## **WATER, WASTEWATER, STREETS AND INFRASTRUCTURES**

The East Center and North Main new sewer line construction was completed in November 2006. There are some remaining street and landscaping repairs to be finished. In Spring 2007, and with better weather conditions the contractors are required to do landscaping repairs to the larger areas. We anticipate that this \$1.6 million project will be under budget. If there are remaining funds the Village is authorized to use such funds to buy equipment. The Ohio EPA and the Clean Water Act mandated that the new sewer lines be installed. Treatment of ground water and rain water infiltration at the sewer plant has been significantly reduced since completion.

**The Community Road construction consisting of new sewer and water lines, sidewalks, curbing, landscaping, and street lighting titled *The Community Distress Grant*** has been delayed approximately 45 days until February, 2007. This project is sponsored by the Portage County Commissioners and Neighborhood Development Services, Inc. (NDS). The total costs for this project are over \$500,000 and will be paid for by grant funds sought through the Ohio Department of Development, the County Commissioners and NDS.

**The Jim's Fuel and Deli lawsuit against the Village was settled in favor of the Village in July 2006.** The court also heard a **Village Counter Claim against Jim's Fuel and Deli** demanding that the carwash which is in or near a flood zone be disconnected from the old 18<sup>th</sup> sanitary trunk sewer and connect the carwash and the Fuel and Deli building sewer lateral to the East Center Street sewer right away. That proper connection was made last summer.

The lawsuit and the Village counter claim went to trial on July 5, 2006 and lasted 4 ½ days. The Judge and Jury heard the evidence from the Plaintiff's and the Village Defense. Judge Enlow did not let the jury decide the case for reasons under the law. The judge gave a directed verdict and the case was dismissed.

In ruling upon the motion for a directed verdict, the Judge did say that it was obvious Plaintiff's flooding problems were caused by increased storm water drainage from the newly constructed school, which runs through several private properties, under State Route 303, and on private property owned by Harbison Walker. Since Plaintiff's Carwash is located at one of the lowest points in the area and since the Carwash was adjacent to the ditch on Harbison's Walker's property, it was apparent that the storm water from the overflowing ditch was the cause of the flooding of the Plaintiff's property. The Court determined that the Village had no legal duty to remedy Plaintiff's flooding problems.

**The Ohio Army National Guard**, who use the Ravenna Arsenal as a Training and Logistics site met with Village Administrator and I in late June. The purpose of this meeting was to discuss the possibility of the Village extending water and sewer lines from the Arsenal gate on South Main Street. The extension of lines would be fully paid for by the funds that are being pursued from the Federal and State Governments. Our Congressman, Tim Ryan, has been involved with pursuing Federal funding. A full blown feasibility study by the Army National Guard will be needed. Should the Village secure this new customer and the additional revenue to the water and sewer funds it should help to level off increases in utility bills. We have had two more meetings since June and another meeting is scheduled in February.

**Our mowing is now being done by our Village employees rather than contracting it out.** Our costs yearly was \$9,225. A new 72 inch cut commercial mower cost us \$7,878. This new mower in one year has paid for itself with the cost savings from not contracting out our mowing. Our employees deserve credit for working hard to get our mowing done along with their other work duties. In 2007, we begin a yearly cost savings of \$9,225 on our mowing.

## **HOUSING, PLANNING AND ZONING BUSINESSES**

**Village Council hired a new rental Housing Code Inspector in November replacing Bass Home Inspection.** The apartment building inspections have needed a much more aggressive enforcement of the Housing Code Ordinance. So far we have gotten what is needed from inspector Jack Murphy from Deerfield, Ohio.

**Two apartment buildings located at 9591 and 9510 community will be torn down in early 2007.** Neighborhood Development Services (NDS) own these buildings. The buildings do not meet our Village Housing Code Ordinance Regulations.

There have been approximately 11 apartment buildings torn down since year 2000 (approximately 66 apartments). From 1980 until now there have been approximately 82 apartment buildings torn down (approximately 516 apartments).

**Four (4) more new single family homes are planned for construction 2007.** They will be built on vacant land parcels in the apartment complex area owned by NDS. This is part of an ongoing plan to gradually reduce the density of multi-family apartment buildings and replace them with single family home ownership. In January, 2005 the Village Zoning Committee rezoned the apartment complex making most of the area single family and commercial zoned.

**A total of 37 single family homes have been built in the Village since year 2000.** Of them, 28 were built in the apartment areas and 9 were built in the Village east side (New Home) area. The additional 4 new homes in 2007 will bring the total to 41 new homes built in our Village since year 2000.

**The new Cortland Bank groundbreaking was held October 20, 2006.** The cost of the building project is reported to be close to \$900,000 and will expand the drive thru lanes from one to three and will add an ATM which the current location does not have. The new bank will be close to 2,600 square feet. The location of the new bank is where five blighted apartment buildings were torn down by NDS in 2000. Thereafter in January 2005 that location was re-zoned commercial by Council. NDS sold that location area to Cortland Bank in 2006.

**The Portage Woods Building** was sold by NDS in 2006 and purchased by Jason Fahl for his Housing Rental Office Business. Also Gearhart-Edwards Realty Group, Inc. has obtained office space for their business in that building.

**Denvir's Pizza and Subs** opened a new business located in the building located by the Drive Thru business also owned by Tom Denvir.

**The Day care on Maple Grove (near new K.T. Elementary) has been re-occupied and open for business.** The owner of Kid Kampus is Craig Holcomb, whose parents were raised

in Windham. The day care was built by Community Economic Development Corp. in year 2000 with USDA Rural Development loans and grants.

**The Burger King went out of business in 2006 and has marketed the property and building for sale.** The owners have said they are anticipating tearing the buildings down for a tax write off if it does not sell in 2007. Hopefully a new business will purchase the building and start a new business that is much needed in our Village.

## **THE VILLAGE WEBSITE**

The Village website ([www.windhamvillage.com](http://www.windhamvillage.com)) has been updated by Lori Lee our Income Tax Administrator. Much more will be done as we continue to build a website as time allows.

This 2006 Mayor's Annual Report along with many of the past years mayor's annual reports are posted on the Village website.

Our website information brings our village government closer to residents with village records conveniently available.

## **YEAR 2007 ISSUES/ITEMS THAT COUNCIL NEEDS TO CONSIDER AND MAKE PROGRESS ON:**

- Complete an Employee's Personnel Handbook Manual
- Update the Police Department Standard Operating Procedures (S.O.P)
- Begin enforcements of the sidewalks repair ordinance
- Consider the extension of water and sewer lines to those areas of the Village where there are no water and sewer services.
- Seek funding for streets re-paving.
- Follow-up on the Council's 2005 resolution to establish a Joint Fire District.
- Repair and/or replace all Village storm water manholes, catch basins, culverts, and ditches located in the Village right-away.
- Re-apply for State Community Distress Grant to assist with our Village finance conditions.
- Continue pursuing grants to build a senior citizen's housing complex in the Village.



- Purchase and install a new generator for the Police Department, Administration Offices, and Maintenance Garage.
- Seek grants and other funds to install a new parking lot for the Community Building Parking.
- Seek grants for renovation of the community building to include more efficient heating and winterization in order to rent the building for profit rather than a loss.

I am looking forward to working with Council and our residents for another year of improvements in our Village.

Respectfully Submitted,

C. James Moore  
Mayor