

## RESOLUTION R-2007-5

A RESOLUTION AUTHORIZING THE COUNCIL'S SAFETY COMMITTEE AND THE MAYOR TO ESTABLISH AN EXPLORATORY/ADVISORY COMMITTEE FOR THE PURPOSE OF OBTAINING INFORMATION ABOUT JOINT FIRE/EMS DISTRICT TO COMPARE WITH OUR CURRENT WINDHAM FIRE DISTRICT, MEETING TO DISCUSS THE INFORMATION, PROVIDE RECOMMENDATIONS TO VILLAGE COUNCIL, TO THE TOWNSHIP TRUSTEES, AND NOTIFY WINDHAM VILLAGE AND TOWNSHIP RESIDENTS OF THE INFORMATION AND RECOMMENDATIONS AND DECLARING AN EMERGENCY.

**WHEREAS**, the last operating agreement between the Township and the Village expired on December 31, 2003; and

**WHEREAS**, the Township Trustees in January 2004 began making all of the decisions without the equal voice and vote of the Village Council regarding the Fire District spending of residents' tax dollars and Fire Department operation issues; and

**WHEREAS**, the Village for one and one half (1 ½) years thereafter exchanged new operating agreement proposal without ever coming close to an agreement with the Trustees; and

**WHEREAS**, Council's Safety Committee decided in May 2005 that a fair and reasonable operating agreement could not be achieved and to pursue a Joint Fire/EMS District which would provide the Village Council equal voice and vote on District and Fire department issues for Village residents; and

**WHEREAS**, the Village Mayor and Council provided a written proposal to the Township Trustees on June 2, 2005 at their meeting offering to form a Joint Fire/EMS District with the Village under the Ohio Revised Code; and

**WHEREAS**, the Village Council unanimously passed Resolution R-2005-7 on June 15, 2005 in support of creating a Joint Fire District under Section 505.371 of the Ohio Revised Code with Windham Township that allows for fair representation of all parties; and

**WHEREAS**, the Township Trustees by their vote turned down the Village's Joint Fire District proposal and later offered to re-open discussions on an operating agreement; and

**WHEREAS**, the Village, in July 2005, accepted the Trustee's offer to re-open the operating agreement discussions contingent upon an agreement from the Trustees to form a committee to explore the pros and cons of a Joint Fire/EMS District but only after an agreement is reached on an operating agreement; and

**WHEREAS**, the Council's Safety Committee and Township Trustee exchanged and discussed proposals from 2005 until October 2006 when the Trustees notified the Mayor and Council that they were ending any further negotiations on an operating agreement; and

**WHEREAS**, the Village notified the Trustees on February 8, 2007 by letter that the Village intends to continue our pursuit for a Joint Fire District between the Village and the Township, that an operating agreement is not an option and has not worked well for the parties since the station was built in 1983-1984; and

**WHEREAS**, In the letter dated February 8, 2007, the Village offered the Trustees to join with the Village in forming an exploratory committee to look into the pros and cons of a Joint Fire District and to let us know by February 15, 2007; and

**WHEREAS**, the trustees have not responded to the Village's letter dated February 8, 2007; and

**WHEREAS**, it has been nearly 37 months without Village representation for our residents' tax dollars and over 20 months since Councils resolution No. R-2005-7 to pursue a Joint Fire/EMS District.

**WHEREAS**, the Village Council's Safety Committee is recommending the Village Council follow up on its resolution No. R-2005-7 by enacting this new Resolution No. R-2007-5; and

**NOW THEREFORE**, be it resolved by the Council of the Village of Windham, three-fourths or more of its elected members concur that:

Section One: That the Council and Mayor of the Village of Windham continue to support the forming of a Joint Fire/EMS District under Section 505.371 of the Ohio Revised Code with the Windham Township.

That the Council and Mayor authorize the Council's Safety Committee and the Mayor to establish an exploratory/advisory committee and to activate such committees to obtain information about Joint Fire/EMS District, to compare with our current Fire District, to meet and discuss the information, to provide recommendation to Village Council, to the Township Trustees, and to the Windham Village and Township residents.

The Council and Mayor believe this is in the best interests of all residents of Windham Township and Village and will be better able to provide the needs of fire protection for all of its residents.

That the creation of this joint fire district would grant fair representation to all parties belonging to the district which representation does not exist at this time.

Section Two: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in and open meeting of this Council, and that all deliberations of this Council, and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

Section Three: This Resolution is hereby declared to be an emergency measure necessary to preserve the public health, safety, morals and general welfare of the inhabitants of the Village of Windham, Ohio and this Resolution shall go into full force and effect immediately upon its passage by three-fourths (3/4's) of the members of Council.

Passed in Council this 20<sup>th</sup> day of February, 2007.

Vote of Council: Ayes: Rachel Barrett, Sonya Edwards, Marian Garrett, Scott Garrett, Jodi Minotti, Phil Snyder. Nays: None.

Attest:

Approved:

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Lloyd Billman, Village Fiscal Officer

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C. James Moore, Mayor

I do hereby certify this to be a true and accurate copy according to the records in this Office.

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Lloyd Billman, Village Fiscal Officer