

Village of Windham, Ohio
Minutes of the Council Meeting

Held January 26, 2010

At 7:01 PM, the 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, Scott Garrett – present,
 Kelly Meszaros – present, Jena Miranda – present,
 Linda Rininger – present, Phil Snyder – present

Also present, Village Solicitor Tom Reitz, Police Chief Ed Perdian, Bruce Rininger, C. James Moore, Rev. Jim Jensen, Randy Slusher, Brenda Slusher, Denise Bly, John Patti, Sandy Patti, Tom Brett, Cecilia Swanson, Kathleen Kozup, David Brown, Emily Ochenhirt, Ray Martinez, Tim Wilmington, Tom Byich, Brenda Hill.

Mayor Donham asked all present to observe a moment of silence for former Council Member Marian Garrett who had passed away. She will certainly be missed.

The minutes of December 22, 2009 were reviewed Mrs. Barrett made a motion to approve which was seconded by Mr. Garrett. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Rininger, Mr. Snyder. Nays: Mrs. Miranda. Motion carried.

Mrs. Miranda had originally voted yes however Solicitor Reitz suggested that since she was not a member of Council during the December meeting perhaps it would be better if she abstained with respect to approving the December minutes. Mrs. Miranda said she believed that the minutes should reflect what was voted upon and there was full length conversation in the minutes. Mayor Donham said that Lloyd is the Fiscal Officer with Clerk of Council duties and is the transcriber of the minutes. Anything that is questionable or whether it is accurate or needs to be elaborated upon you can get in touch with him and elaborate. Attorney Reitz said that Ohio Law provides that summary minutes are acceptable. If there is any time that you think the summary minutes are inaccurate, you should call it out before the motion is passed so that the minutes can be corrected. He said that his comment was that an abstention would have been appropriate for her since she was not a member of Council during the December meeting. Mrs. Miranda said you would have thought that this should have been brought up before Mr. Billman would have called the roll for the vote. Mr. Reitz said that Mr. Billman simply was asking for your vote. It is each member of Council's responsibility to vote affirmatively, negatively or to abstain during the roll call.

The minutes of Special Organization meeting held January 6, 2010 were review. Mr. Snyder made a motion to approve which was seconded by Mr. Garrett. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mr. Snyder. Nays: Mrs. Miranda, Mrs. Rininger. Motion carried. The original vote had Mrs. Meszaros voting no and the vote was tied. After the Mayor asked what the problem was because he wanted to vote properly to break the tie, it was determined that Mrs. Meszaros had questioned the December minutes rather than the January minutes and thereupon changed her vote to ~~yes~~ ^{yes}

Village Fiscal Officer's Financial Report by Lloyd Billman

The Income Tax total for December year end was \$477,840.75 of which \$41,208.94 is declarations for estimated tax.

The expenditures for the month of December 2009 in checks, charges, etc were \$213,938.35 with check numbers 23536 through 23671 being paid from the Primary Checking Account during the month. Check number 23670 was voided.

The December 2009 Bank Reconciliation all funds reconciled balance was \$634,190.71.

Village Council President's Report by Rachel Barrett

Mrs. Barrett said she has no report this month, however she requested all Committee Chairs to place a copy of the minutes in the Income Tax Administrator's mailbox so she can have a copy since she is the Records Retention Officer and is required to maintain a copy.

Dispatchers, Police, Fire and Rescue Squad (EMS) reports for December 2009 by Mrs. Meszaros.

Mrs. Meszaros read the reports for December 2009.

Mayor's Communication and Correspondence

Mayor Donham said that the week of January 31 through February 6, 2010 is to be declared as the Rotary Family Week and read the proclamation. He explained that we sign the proclamation each year to help the Garrettsville Hiram Rotary observe this week within the neighboring communities.

Mayor Donham made the following appointments:

Housing Appeals Board – Council Member Jena Miranda – one year

Parks and Recreation – Larry Kuhlman, Resident

Randy Slusher, Resident

Phil Snyder, Council Member

Income Tax Board of Review – Joe Lutz, Resident

Board of Zoning Appeals – reappoint the entire committee

Phil Snyder, Council Chair

Kenney Friend, Resident

Larry Kuhlman, Resident

Planning and Zoning – Phil Snyder, Council Member

Robert Donham II, Mayor

Audrey Roth, Resident

Julie Konzen, Resident

Randy Slusher, Resident

Mr. Garrett made a motion to accept the appointments of the Mayor as a block which was seconded by Mr. Snyder. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Miranda, Mrs. Rininger, Mr. Snyder. Nays: None. Motion carried.

Prior requests of guests to speak

Rev. Jim Jensen of the Windham United Methodist Church

Rev. Jensen requested permission to hold a Contemporary Worship Service on Saturday late afternoon behind the Community Center and receive power from the Community Center and to move indoors should there be rain. This would start this Spring. Mayor Donham said he thought this would be a terrific idea and opened it up to Council if they had any questions. Mr. Garrett asked how often this would be held. Rev Jensen said this would be once or twice a month on Saturday afternoon late or early evening. Mrs. Rininger asked how far back the Village owned and where does the school property begin. Mayor Donham said he wasn't sure how far back the Village property extended. He said that what we have done in the past if everything else falls into place and there are no scheduling conflicts when there has been a non-profit it has never been an issue. They have been permitted to use the building for community

events. The booking of that has been done through our Village Administrator. Mr. Garrett said the only conflict might be baseball games with the High School.

Emily Ochsenhirt and Ray Martinez from First Energy Solutions spoke about how the Community can become a certified aggregator and receive a 6% discount for residents and 4% discount for small commercial off the generation portion of the electric bill and also qualify to receive a \$50,000 grant. The discounts would be good through 2018 and would be from a pool of suppliers. There would need to be a ballot issue placed upon the May ballot for this to take place. An information packet was passed out to members of Council and they will review with a possible special meeting next month.

Mrs. Barrett asked if they were familiar with the Electric Service in Warren. She said that the usage charge from Ohio Edison was \$41 and the NOPEC charge was \$43. Emily said the Ohio Edison was the Distribution charge and the NOPEC was for the Generation charge and the total bill to the customer would be \$84. Atty Reitz asked if there was an apples to apples comparison that Council could use to evaluate. Ray said that there is a comparison on the PUCO website.

Sandi Patti asked a couple of questions about the rezoning. She said she understood that the Police Department was going to move into the old East Elementary School Building. Mayor Donham said we are currently in discussions with the Family Renaissance Center who is the new owner of the building concerning a lease agreement for the Police and Village Administration to move into the old elementary school. This would include Council Chambers. Mrs. Patti then asked, if we are in a financial bind, how are you going to come up with the finances to pay the rent over there? Mayor Donham said that is a good question; I haven't heard that we are in a financial bind. It's a rough economy, but we have been doing very well the last couple of years and ultimately this lease agreement that we are looking at is a long term lease agreement. We are looking at moving into there for good and it has to make financial sense for the Village and that is why we are still in discussions with them. The Police Department as it stands right now has about an eight year shelf life. Two years ago we did about a fifteen thousand dollar foundation renovation to sure up the building but that was only about a ten year fix. So our options at this point are continue to do the maintenance and everything that we do here and put away capital improvements and look at building a new building in eight years or find another way. And this might be an economical way to go. Sandi inquired, so the jail is going to move to the elementary school also? Mayor Donham said we don't have a jail. We don't house any prisoners; we send those guys to the Sheriff's Department.

Sandi said, if this gets rezoned as mixed use, how is that going to affect my taxes?

Mayor Donham called upon the Solicitor. Atty. Reitz said that if the value of your property increases the amount you will pay in taxes will go up, but the rate will remain the same. Sandi said she thought that the residential taxes and commercial taxes were different. Atty Reitz said they can be, but they don't change based upon zoning; the rate is based upon the land use as established by the County Auditor. Mayor Donham said the proposed use change here is mixed use so Residential is permitted and Commercial would be permitted. Several other things would be permitted; it operates as mixed use now, so this is really formalizing what it actually operates as and allows the Renaissance Center to operate within the law. Sandi asked why wasn't that zoned commercial before when the school was there? Mayor Donham asked who was here then, Scott? Scott said he wasn't sure when that school was first put in. He has been here twelve years. Sandi said so if this becomes a mixed use, I am a cake decorator and photographer, so I can put up a sign in front of my house. She was told she would have to pay a zoning fee to put the sign up and comply with the acceptable uses permitted.

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officers expenditures for the month of December 2009 of \$213,635.64 in checks, charges, etc with check numbers 23536 through

23667 and 23669 through 23671 being paid from the Primary Checking Account during December 2009. Check number 23670 was voided during December 2009. The motion was seconded by Mrs. Meszaros. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mr. Snyder. Nays: None. Abstain: Mrs. Miranda. Motion carried.

Mr. Garrett made a motion to approve check 23668 in the amount of \$302.71 which was paid from the Primary Checking Account during December 2009. Mr. Snyder seconded the motion. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mr. Snyder. Nays: None. Abstain: Mrs. Meszaros, Mrs. Miranda. Motion carried. Mrs. Meszaros said she abstained because the check was made to her husbands business.

Mr. Garrett made a motion to approve the December 2009 Bank Reconciliation with an all funds reconciled balance of \$634,190.71 and the following monthly reports for the month ending December 31, 2009: Fund Summary, Appropriation Summary, Revenue Summary, Payment Register, Charge Register, Expenditure Summary, Cash Summary by Fund and approval of the following Year to Date Reports through December 31, 2009: Cash Summary by Fund, Comparison of Budget versus Actual receipts, Comparison of Disbursements and Encumbrances which was seconded by Mrs. Meszaros. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mr. Snyder. Nays: None. Abstain: Mrs. Miranda. Motion carried.

Mr. Garrett read Ordinance O-2009-50 **AN ORDINANCE TO REVISE AND AMEND SECTIONS 181.02(t) AND 181.07(b) OF THE VILLAGE OF WINDHAM INCOME TAX CODE TO CHANGE THE DEFINITION OF TAXABLE INCOME AND TO ADD FILING REQUIREMENTS** as a second reading.

Mr. Garrett read Ordinance O-2010-3 **AN ORDINANCE REVISING SECTION 181.07 WITH THE VILLAGE OF WINDHAM INCOME TAX CODE WITH RESPECT TO THE REQUIREMENTS OF REGISTRATION OF CONTRACTORS AND SUBCONTRACTORS WITH THE INCOME TAX OFFICE** as a first reading. Atty: Reitz said he had a discussion with Ms. Lee, Income Tax Administrator, this afternoon who said she was having some difficulty with a contractor who said he wasn't required to file because of a perceived loophole in this legislation. A suggested change has been handed out to Council and he asked if they wished to have the change incorporated. Mr. Garrett made a motion to adopt the amendment Mrs. Meszaros seconded the motion. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mr. Snyder. Nays: Mrs. Miranda. Motion carried.

Mr. Garrett read Ordinance O-2010-4 **AN ORDINANCE APPROVING THE CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES AVAILABLE FOR EXPENDITURES, AND BALANCES FOR DECEMBER 31, 2009 FOR THE VILLAGE OF WINDHAM AND DECLARING AN EMERGENCY** and made a motion to suspend the rules. The motion was seconded by Mr. Snyder. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mr. Snyder. Nays: None. Abstain: Mrs. Miranda. Motion carried.

Mr. Garrett then made a motion to adopt the ordinance which was seconded by Mr. Snyder. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mr. Snyder. Nays: None. Abstain: Mrs. Miranda. Motion carried.

Mr. Garrett read Resolution R-2010-2 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO ADVANCE BACK FROM THE SEWER OPERATING FUND TO THE REVOLVING LOAN FUND IN PAYMENTS OF \$1,651.91 PER MONTH UNTIL THE \$79,291.60 IS REPAID IN FULL**

WITH SCHEDULED REPAYMENTS THROUGH DECEMBER 2011 AND

DECLARING AN EMERGENCY and made a motion to suspend the rules which was

seconded by Mr. Snyder. Atty Reitz interrupted and said before the Roll is Called he would like to speak to Mrs. Miranda. He said, Mrs. Miranda, I believe I may have said something which made you believe that you couldn't act on the legislation that is before the Council this evening. Anything that is before the Council this evening with the exception of approval of actions that took place in the past is a new matter, so even if it is on third reading if you are familiar with it, you are completely within your rights to go ahead and vote as you see fit and if I created the impression with you that you felt you couldn't act on legislation this evening, I apologize, that was not my intention. Mayor Donham asked about the Ordinance approving last years expenditures. Atty. Reitz said that is a decision that is being made by the Council this evening. With the minutes it was determining whether the minutes reflected actions which took place in the past. These are all current activities that are actions to be taken by the Council tonight.

Mrs. Miranda is in as good a position as any one of you to vote on that issue, so I didn't want you to be mislead. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mr. Garrett then made a motion to adopt the Resolution which was seconded by Mr. Snyder. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mr. Garrett read Resolution R-2010-3 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO MAKE THE FOLLOWING TRANSFERS BETWEEN THE WATER AND SEWER OPERATING FUNDS, RESPECTIVELY, TO THEIR RESPECTIVE DEBT SERVIC AND DEBT SERVICE RESERVE FUNDS TO MEET CALENDAR 2010 DEBT SERVICE REQUIREMENTS DURING 2010 AND DECLARING AN EMERGENCY** and made a motion to suspend the

rules which was seconded by Mrs. Barrett. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mr. Garrett then made a motion to adopt Resolution R-2010-3 which was seconded by Mrs. Rininger. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mr. Garrett read Ordinance O-2010-5 **AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE PERMANENT APPROPRIATIONS FOR 2010 FOR THE VILLAGE OF WINDHAM, CALLED FOR IN THAT BUDGET, AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mr. Snyder.

Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mrs.

Miranda, Mr. Snyder. Mr. Garrett then made a motion to adopt Ordinance O-2010-5 which was seconded by Mr. Snyder. Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Safety Personnel and Rules by Kelly Meszaros

Mrs. Meszaros read Ordinance O-2009-40 **AN ORDINANCE AMENDING SECTION 155.05(a) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WINDHAM TO REVISE THE DATES OF HOLIDAYS FOR VILLAGE OF WINDHAM EMPLOYEES, AND REPEALING ALL PRIOR AND INCONSISTENT ORDINANCES AND DECLARING AN EMERGENCY** as third reading and moved for adoption which was

seconded by Mr. Garrett. Vote of Council: Ayes: Mrs. Meszaros, Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mrs. Meszaros read Ordinance O-2009-43 **AN ORDINANCE ENACTING SECTION 121.01(c)(4) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WINDHAM**

TO ESTABLISH A PROCEDURE FOR SELECTING A COUNCIL

REPRESENTATIVE TO THE WVFD JOINT FIRE DISTRICT as second reading. Mrs. Barrett then made a motion to suspend the rules which was seconded by Mrs. Meszaros. Vote of Council: Ayes: Mrs. Meszaros, Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mrs. Meszaros then moved to adopt Ordinance O-2009-43 which was seconded by Mrs. Barrett. Vote of Council: Ayes: Mrs. Meszaros, Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mrs. Meszaros read Ordinance O-2009-44 **AN ORDINANCE AMENDING SECTION 139.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WINDHAM TO MODIFY AND CLARIFY POLICE DEPARTMENT UNIFORM ALLOWANCES AND REPEALING ALL PRIO AND INCONSISTENT ORDINANCES** as second reading.

Mrs. Meszaros read Ordinance O-2009-45 **AN ORDINANCE AMENDING SECTION 139.05 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WINDHAM TO ESTABLISH A PROCESS TO APPROVE POLICE STANDARD OPERATING PROCEDURES** as second reading.

Mrs. Mezaros read Ordainance O-2009-49 **AN ORDINANCE AUTHORIZING THE MAYOR AND THE VILLAGE FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH THOMAS REITZ AUTHORIZING HIM TO SERVE AS VILLAGE SOLICITOR FOR THE VILLAGE OF WINDHAM COMMENCING ON MARCH 1, 2010, SETTING THE TERMS OF HIS COMPENSATION AND DECLARING AN EMERGENCY** as second reading.

Mayor Donham said we could table Resolution R-2010-1. He said he didn't feel it is going to be necessary given the way the money transferred. The Township transferred the entire amount and didn't charge for any services therefore we don't have to show any expenditure to the Township so I don't think we need any contract with the Township and it might even create a liability for us if we did have a contract since they didn't deduct anything. Upon advise by Solicitor Reitz Mr. Snyder made a motion to remove Resolution R-2010-1 from the agenda which was seconded by Mrs. Meszaros. Vote of Council: Ayes: Mrs. Meszaros, Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mayor Donham explained that the Personnel Committee had requested to revisit the hiring of the Part Time Dispatcher and Part Time Police Officer before bring these to Council. Mrs. Meszaros made a motion to table the actions on both of these which was seconded by Mrs. Rininger. Vote of Council: Ayes: Mrs. Meszaros, Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Service Committees

Utilities by Phil Snyder - Mr. Snyder said he had nothing for Utilities.

Streets and Sidewalks by Linda Rininger - Mrs. Rininger said unfortunately she wasn't at the meeting but there is a Resolution to consider. Mayor Donham said the legislation didn't come from the committee but it came from him, but it does fall under the Streets and Sidewalks Committee. He said we have kind of fought with this several times over the years and never found a solution to it, and it has surfaced again, so I'd like to talk to Maurice and Tom about the piles of garbage that end up getting piled up at certain places and we really don't good enforcement mechanism to put them on the tax duplicate like we have with the water bills and the grass cutting. So this is a Resolution that allows us to do that. Solicitor Reitz explained that

this is a Resolution which has as its authority the Ohio Revised Code, and you have to pass a Resolution each time that you want to have garbage or litter at a specific location, so the blank is there because you should have that filled in with the address. Mrs. Barrett said she knows there are two on Community. Mayor Donham said we have to pass a Resolution every time we pick up the garbage, I thought when we discussed it previously that we would be able to do this as a blanket because it becomes cumbersome and could take ninety days. Solicitor Reitz said you could suspend the rules and it wouldn't take ninety days. Mrs. Rininger said it shouldn't take ninety days. Mrs. Barrett said we are having a meeting tonight and if four days from now there is a pile of garbage, we would have to have a special meeting. Atty. Reitz said well if you want a comprehensive scheme where you could ... Mrs. Barrett said no, we don't want a scheme we just want a way to get it cleaned up. Atty. Reitz said that was a poor choice of words. Mrs. Rininger asked what we do with grass cutting? Does that get attached to the property tax? Mr. Garrett explained that it gets done once a year. Mayor Donham asked are we able to do this confirming stuff we already did. Can Maurice hire a contractor to clean up the garbage; we have a set amount whatever it is and whenever it's time to turn that in pass a Resolution at this Council saying that we need to have it assessed to the tax duplicate. Mr. Garrett said that is pretty much what we do with grass. Atty. Reitz said we could try that. The statute that I called out is the same one that you use for grass and utility bills. He said he is more than happy to prepare legislation that would accomplish this. Mrs. Rininger and Mrs. Barrett said they believed it should come to the committee and then be brought before Council. It was explained that Chief Perdian has these addresses and they could be added to the Resolution tonight.

Housing Rental License Code by Rachel Barrett – Mrs. Barrett said she has nothing from the Committee other than to say the minutes have been passed out.

Village Buildings and Properties by Phil Snyder – Mr. Snyder said he has nothing.

The next item was to discuss a lease agreement with the Renaissance Family Center and Mr. Snyder made a motion to enter into executive session for purposes of discussing the agreement. Mrs. Meszaros seconded the motion. Vote of Council: Ayes: Mrs. Rininger, Mrs. Meszaros, Mr. Garrett, Mrs. Barrett, Mrs. Miranda, Mr. Snyder. Nays: None Motion carried and Council entered executive session at 8:29 PM.

Mr. Snyder made a motion to return from executive session which was seconded by Mrs. Barrett. Vote of Council: Ayes: Mrs. Rininger, Mrs. Meszaros, Mr. Garrett, Mrs. Barrett, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried and Council returned to regular session at 9:06 PM.

Planning and Zoning by Phil Snyder – Mr. Snyder gave a second reading on Ordinance O-2009-51 **AN ORDINANCE AMENDING THE VILLAGE ZONING ORDINANCE AND ZOINING DISTRICT MAP BY ADDING A MIXED USE DISTRICT WITHIN ORIGINAL LOG 58.**

Solicitor's Report by Atty. Thomas Reitz – Atty Reitz said he has no report.

Guest Recognition – there were no guests wishing to address Council.

Any other Business Properly Before the Council – Atty. Reitz said there is a time period which needs to be provided on Resolution R-2010-4 after discussion it seemed that 30 days was reasonable for the Resolution. Mrs. Rininger asked if we could provide all three addresses on the Resolution. Atty. Reitz said he didn't see why not. The addresses 9158 Maple Grove Road

and 9561 Community Road were to be added to the Resolution. Mrs. Meszaros made a motion to amend the motion by adding the addresses to the title and to section one and the time period of 30 days to section five. Mr. Snyder seconded the motion. Vote of Council: Ayes: Mrs. Rininger, Mrs. Meszaros, Mr. Garrett, Mrs. Barrett, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mr. Snyder made a motion to suspend the rules on Resolution R-2010-4 **FINDING THAT LETTER HAS BEEN PLACED AT 9158 MAPLE GROVE ROAD AND 9561 COMMUNITY ROAD WITHIN THE VILLAGE, HAS NOT BEEN REMOVED, AND CONSTITUTES A DETRIMENT TO PUBLIC HEALTH, NOTICE TO REMOVE TO BE SENT AND DECLARING AN EMERGENCY.** The motion was seconded by Mrs. Meszaros. Vote of Council: Ayes: Mrs. Rininger, Mrs. Meszaros, Mr. Garrett, Mrs. Barrett, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mrs. Meszaros made a motion to adopt the Resolution which was seconded by Mr. Snyder. Vote of Council: Ayes: Mrs. Rininger, Mrs. Meszaros, Mr. Garrett, Mrs. Barrett, Mrs. Miranda, Mr. Snyder. Nays: None. Motion carried.

Mayor Donham said everyone should have a contract for services with WVFD Joint Fire District. Mrs. Rininger said what this contract is is the Township and Village has to go into a contract with the Joint Fire District in order to release the monies which were appropriated during the Court Order. Now next month, there is going to be another one to accept the levy monies. Mayor Donham said the amount due should be released by the 31st. Mrs. Rininger said whenever it is convenient. Mayor Donham said I'm going to ask for a motion and voice vote on this contract authorizing Lloyd and I to enter into it and we will have a Resolution for the next meeting confirming that action. Mrs. Barrett made the motion to approve and Mrs. Rininger seconded the motion. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Miranda, Mr. Snyder. Nays: None. Abstain: Mrs. Rininger because she is chair of the WVFD Joint Fire District.

Mrs. Barrett made a motion to adjourn the meeting which was seconded by Mr. Snyder. Vote of Council: Ayes: Mrs. Barrett, Mr. Garrett, Mrs. Meszaros, Mrs. Miranda, Mrs. Rininger, Mr. Snyder. Nays: None. Motion carried and Council was adjourned at 9:15 PM.

Respectfully submitted,

Attest

Lloyd C. Billman, Clerk of Council

Robert W. Donham II, Mayor