

Village of Windham, Ohio
Minutes of the Special
Council Meeting
Regular Meeting at other than normal date
Held April 24, 2014

At 7:05 PM Honorable Mayor Robert W. Donham II called the meeting to order and led in the Pledge of Allegiance to our nation's flag.

Also present were: Mike Iwanyckyj Village Administrator, Trisha Fall Police Officer, Housing Rental Inspector Tom Brett, Denise Bly, C. James Moore, Police Chief Eric Breiding, Brenda Slusher, Angelo Battaglia, Cecilia Swanson and Greg Trask

Roll Call:	Rachel Barrett – present,	Deborah Blewitt – present,
	Scott Garrett – present,	Sheryl Prem – present,
	Linda Rininger – absent	Randal Slusher – present

Mrs. Barrett made a motion to add a motion, second and vote to accept 8 yards of mulch from Doll Lumber Company which was seconded by Mr. Slusher and carried by unanimous vote.

Mr. Garrett made a motion to approve the minutes of the March 18, 2014 Special Council Meeting Regular Council Meeting held at other than normal date which was seconded by Mrs. Barrett and carried by unanimous vote.

Fiscal Officer Billman gave the Financial Reports as follows: The Income Tax collected year to date March 31, 2014 was \$102,117.57 with \$5,696.37 of the total due to declarations of estimated tax. The expenditures for the month of March 2014 were \$127,206.28 in checks and charges. Check numbers 29981 through 30063 were paid from the primary checking account during March 2014 with no checks voided during the month. Direct Deposit Vouchers 89-2014 through 104-2014 and 107-2014 through 118-2014 were also paid during the month of March 2014. The all funds reconciled balance for March 2014 was \$1,282,932.74.

Village Council President's report by Deborah Blewitt. Ms. Blewitt said she had nothing to report.

Dispatchers Police, Fire and Rescue Squad Report for March 2014 by Deborah Blewitt. Ms. Blewitt made a motion to accept the report which was distributed at the SPR meeting earlier in the month. Mr. Slusher seconded the motion which carried by unanimous vote.

Mayor Donham said he would wish to have reflected in the minutes that Dr. Bob Towles received the Distinguished Military Cross from Col Meade at a ceremony at the High School. This is a very high honor. He also reported on the demolitions with 13 buildings about half down and are now on schedule. They will be done by the end of May and we have received authorization on the property on Greenmeadow which burned.

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Prior requests of guest to speak – Cecilia Swanson of Portage County Library brought gifts. She presented books for all members of Council and others in attendance. They were an Agatha Christie murder mystery from world book night. She said now that she had softened us up, she was here a couple of months ago and asked about the agreement with the Village. They have seen a slight increase each year in their rent and would like the members of Council to consider a percentage rather than a fixed amount of contribution toward the rent which the Library pays to the Renaissance Center. It was originally 70% of the total cost being paid by the Village and is now 68.6%. She also spoke about the signs being put up on St. Rt. 303 at the end of Wilverne and will leave a sign for the Village Administrator. Mayor Donham said if you get us the signs we can have them put up. Greg Trask who is the manager of the branch of the library was presented and he spoke about being able to offer materials and services of interest to the community and a place to gather. They are able to provide the Village with premium research as they have access to several databases. He also inquired if the Village would have suggestions of what the library can provide.

Mayor Donham said in his opinion the 70% is a fair amount for the Village to provide. He asked Council their thoughts. Mr. Garrett said we have always tried to support the library and will support a November ballot issue to offset costs. Mayor Donham said he would consider a small levy (about \$20 per year) to support the library. Cecilia said thir board would likely pass a resolution to put a levy on the ballot as well for this fall.

Angelo Battaglia was present and introduced himself as a Democratic Candidate for Portage County Commissioner. He is 52 years old and has been in Portage County all his life. He is in the construction business and is not a politician. He wants to speak with the Villages and Townships. He is concerned about the way the money is spent. There will be problems with understanding unless people are taught about how a business spends their money. Mayor Donham said it is no secret that he is a Democrat and thanked Mr. Battaglia for coming and speaking with us tonight.

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officer's expenditures for the month of March 2014. Before the vote was taken Attorney Reitz pointed out an error in the agenda in which the amount of expenditure was incorrect. Mr. Billman said the figure on the agenda was that of the amount collected during the month of March in Income Tax and the correct amount of \$127,206.28 would be reflected in the minutes. Mr. Garrett noted that \$127,206.28 was spent in checks, direct deposits and charges with check numbers 29981 through 30063 paid from the primary checking during March 2014 with no checks voided during the month. Direct Deposit vouchers 89-2014 through 104-2014 and 107-2014 through 118-2014 were also issued during the month. Mrs. Barrett seconded the motion which passed by a 5 – 0 vote of Council.

Mr. Garrett made a motion to approve the all funds reconciled bank balance for March 2014 in the amount of \$1,282,932.74 and the following monthly reports distributed to Council for the month ending March 31, 2014: Fund Summary, Expenditure Summary, Cash Summary by Fund and the following Year to Date Reports through March 2014: Cash Summary by Fund, Comparison of Budget and Appropriated. The motion was seconded by Mrs. Barrett and carried by unanimous vote.

Mr. Garrett read Resolution R-2014-9 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CREATE A THEN AND** Minutes of April 24, 2014 Special Council Meeting, Regular Meeting held at other than normal date.

NOW PURCHASE ORDER(S) TO PAY COSE / MEDICAL MUTUAL OF OHIO , WALTER DRAIN COMPANY, OHIO EDISON AND DECLARING AN EMERGENCY and made a motion to suspend the rules which was seconded by Mr. Slusher and carried by unanimous vote. Mr. Garrett then made a motion to adopt Resolution R-2014-9 which was seconded by Mrs. Barrett and carried by unanimous vote.

Mr. Garrett read Resolution R-2014-7 A RESOLUTION ESTABLISHING THE PROPORTIONATE CONTRIBUTION BETWEEN AND AMONG VARIOUS FUNDS FOR THE PAYMENT OF THE MORTGAGE, UTILITIES AND OTHER COSTS ASSOCIATED WITH THE VILLAGE PURCHASE, MAINTENANCE, AND ONGOING EXPENSES OF 9083 NORTH MAIN STREET IN THE VILLAGE OF WINDHAM as a third reading and made a motion to adopt the legislation which was seconded by Mr. Slusher and passed by unanimous vote.

Mr. Garrett read Ordinance O-2014-14 BEING AN ORDINANCE AUTHORIZING TRANSFERS AND APPROPRIATIONS FOR THE VILLAGE OF WINDHAM AS SET FORTH BELOW AND DECLARING AN EMERGENCY and made a motion to suspend the rules which was seconded by Ms. Blewitt and carried by unanimous vote. Mr. Garrett then moved to adopt Ordinance O-2014-14 which was seconded by Ms. Blewitt and carried by unanimous vote.

Mr. Garrett then made a motion to authorize the Fiscal Officer to perform a regular monthly transfer of \$10.00 from the Primary Checking Account to the Water Debt Service Reserve Super Passbook Account then another regular monthly transfer of \$10.00 from the Water Debt Service Reserve Super Passbook Account to the Primary Checking Account at Cortland Bank in order to avoid dormant account fees. The motion was seconded by Mrs. Prem and carried by a 5 – 0 vote of Council.

Mr. Garrett then made a motion to authorize the Fiscal Officer to perform a regular monthly transfer of \$10.00 from the Primary Checking Account to the RLF Money Market Plus Account and then another regular monthly transfer of \$10.00 from the RLF Money Market Plus Account to the Primary Checking Account at Cortland Bank in order to avoid dormant account fees. The motion was seconded by Mr. Slusher and carried by a 5 – 0 vote of Council.

Safety, Personnel, Rules (SPR) by Deborah Blewitt

Ms. Blewitt initially was making a motion to table Ordinance O-2014-11 because of an inaccuracy in the Exhibit. Mayor Donham said we would get the Ordinance corrected and this could still be a second reading of the legislation. Ms. Blewitt then read Ordinance O-2014-11 **AN ORDINANCE TO ESTABLISH A POLICY REQUIRING POLICE OFFICERS TO HAVE BULLET PROOF VESTS AND TO PROVIDE FOR THE USE OF THE POLICE CLOTHING ALLOWANCE TO ASSIST IN THE COST OF ACQUIRING THE BULLET PROOF VESTS** as a second reading.

Ms. Blewitt read Ordinance O-2014-12 **AN ORDINANCE APPROVING THE RECODIFICATION, EDITING AND INCLUDING OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF WINDHAM, OHIO** as a first reading.

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Ms. Blewitt read Ordinance O-2014-13 **AN ORDINANCE AMENDING THE CURRENT PAY ORDINANCE TO ESTABLISH AND REVISE THE SALARIES AND WAGES OF FULL-TIME AND PART-TIME EMPLOYEES WITHIN THE VILLAGE OF WINDHA, COUNTY OF PORTAGE AND STATE OF OHIO, REPEALING ALL PRIOR INCONSISTENT ORDINANCES AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mr. Slusher and carried by unanimous vote. Ms. Blewitt then made a motion to adopt Ordinance O-2014-13 which was seconded by Mr. Garrett and carried by unanimous vote of Council.

Mayor Donham announced the establishment of a new Base Annual Salary for the Fiscal Officer at \$42,658.56 effective the first pay following May 1, 2014. Ms. Blewitt made a motion to affirm and ratify this action which was seconded by Mr. Garrett and carried by a 5 – 0 vote of Council.

Mayor Donham announced the establishment of a monthly salary for the Zoning Inspector at \$600.00 to be paid the first pay following May 1, 2014. Ms. Blewitt made a motion to affirm and ratify this action which was seconded by Mr. Garrett and carried by a 4 – 1 vote of Council with Mrs. Barrett being the sole no vote.

Ms. Blewitt moved to enter executive session for a personnel matter regarding discipline of personnel in the police department and the solicitors contract. Mr. Slusher seconded the motion and by a 5 – 0 vote Council entered executive session at 7:47 PM

Ms. Blewitt moved to return from executive session which was seconded by Mr. Slusher and by a unanimous vote Council returned at 8:19 PM

Utilities by Rachel Barrett

Mrs. Barrett had nothing at this time.

Service Committee by Randall Slusher

Mr. Slusher said he had nothing to report.

Parks and Recreation by Randall Slusher

Mr. Slusher had nothing to report

Planning and Zoning by Deborah Blewitt

Ms. Blewitt read Ordinance O-2014-5 **AN ORDINANCE AMENDING THE WINDHAM VILLAGE ZONING ORDINANCE TO ESTABLISH THE COMPENSATION OF THE ZONING INSPECTOR** and made a motion to remove it from the table which was seconded by Mr. Garrett and carried by a 5 – 0 vote.

Mr. Garrett then made a motion to adopt Ordinance O-2014-5 which was seconded by Mrs. Prem and carried by a 4 – 1 vote with Mrs. Barrett being the sole no vote.

Mayor Donham announced the appointment of Councilman Randall Slusher to the Planning and Zoning Committee to replace Julie Konzen. Ms. Blewitt made a motion to affirm and ratify this

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action which was seconded by Mr. Garrett and by a 4 – 0 – 1 vote the motion carried. Mr. Slusher cast the abstaining vote.

Solicitor's Report by Thomas Reitz – Mr. Reitz had no report this evening.

Guest Recognition

Denise Bly asked for a clarification on Ordinance O-2014-12 and Mayor Donham explained this is the annual update to our Codified Ordinance Books for the year.

Mrs. Prem said she had spoken with Portage County Auditor Janet Esposito about a line item specific to advertising for Economic Development. Mayor Donham said this was best left to be decided between Fiscal Officer Billman and Solicitor Reitz.

Mrs. Barrett asked if Mayor Donham wanted to take any action on the Portage County Commissioner Resolution supporting the Issue One OPWC Bond Sale on the ballot. Mayor Donham said it wouldn't hurt to have a motion on the books. Mrs. Barrett moved in support of the OPWC renewal of Issue One OPWC Bond sale on the ballot. Ms. Blewitt seconded the motion and it carried by unanimous vote.

Mayor Donham explained the Agricultural District request of Pamela Richards and Bryan and Shana McManus.

The change on the calendar was agreed upon.

Mrs. Barrett made a motion to authorize Mike Iwanyckyj to submit job descriptions and paperwork to Portage County Job and Family Services relating to summer workers. Mr. Garrett seconded the motion which carried by a 5 – 0 vote.

Mrs. Barrett made a motion for adjournment which was seconded by Mr. Slusher and with all voting in the affirmative the meeting was adjourned at 8:38 PM.

Respectfully submitted,

Attest,

Lloyd C. Billman, 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.

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