Village of Windham, Ohio

Minutes of the Regular Council Meeting

Held January 22, 2008

At 7:00 PM, the Honorable Mayor Robert W. Donham II called the meeting to order and led in the Pledge of Allegiance.

Roll Call:	Rachel Barrett – present,	Scott Garrett – present,
	Matt McManus – present,	Jodi Minotti – present,
	Linda Rininger – present,	Phil Snyder – present

Also present, Village Solicitor Mark Manlove, Village Administrator Maurice Hankins, Nancy Packard, Clarence Simpson, Denise Bly of The Weekly Villager, Audrey Roth, Pat Stevenson, Rebecca, Neikirk, Cathey DeBord, Bruce Kettler, Michelle Green, Howard Furl, Dann Timmons, Bruce Rininger, C. James Moore, Rich Gano

The minutes of the December 18, 2007 Regular Council Meeting and January 8, 2008 Special Council Meetings were reviewed. Phil Snyder made a motion to approve the minutes. The motion was seconded by Rachel Barrett. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder. Nays: None. Motion carried.

Village Fiscal Officer reports, Lloyd Billman. The Fiscal Officer presented the expenditures for the month of December including checks, charges, etc of $498,706.71 and the December Bank Reconciliation with an all funds reconciled balance of $524,673.62 for the month. The Local Government Services adjustments of -$253,460.58 from November 29, 2007 and $144,396.48 from December 6, 2007 have netted with the other adjusting factors which have been previously carried to zero.

Village Council President, Phil Snyder Phil made a motion that the Portage County Water Resource Committee will consist of the Utility Committee (Scott, Phil and Jodi) along with Maurice, two village residents and Rob as ex-officio member. The motion was seconded by Scott. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried.
Phil announced that he had made all of the other appointments for committees as stated on the Council Meeting sheet.

Phil Snyder presented the Dispatchers, Police, Fire and Rescue Squad (EMS) report for the month of December 2007.

Mayor Donham presented the Mayor's report to Council. Mayor Donham announced he has appointed Matt McManus to be the chairman of the Zoning Board. Motion to approve was made by Phil and seconded by Scott. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried.
Donham announced his appointment of Matt McManus as chairman of the Zoning Board of Appeals. Motion to approve by Phil and seconded by Scott. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried.
Donham announced his appointment of Matt McManus for the Park Board Chairman. This was moved by Phil and seconded by Scott. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried.

As resident appointment on the Parks Board Donham appointed Phil. Motion was made by Rachel and seconded by Jodi. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried.

Mayor Donham gave an update on the Ravenna Arsenal Project with Phi, Rob, Maurice and Mayor Jim Moore in attendance. The Mayor said that all was positive and looked very promising for this to become a reality.

Mayor Donham asked council to consider revising the pay frequency for Mayor, Council and the Village Administrator from quarterly to monthly. The motion was made by Phil and seconded by Rachel. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried.

Finance Committee Report by Linda Rininger. Linda made a motion to approve the Fiscal Officers Expenditures for December of $498,706.71 in checks and charges, etc. Check numbers 19611 through 19675, 19677, 19680, 19682 through 19709, 19711 through 19729, 19731, 19734 through 19751, 19753 through 19775 were paid during December. Check numbers 19676, 19678, 19679, 19681, 19710, 19730, 19732, 19733 and 19752 from the Primary Checking Account were voided during December. The motion was seconded by Phil. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried.

Linda then made a motion to approve the December 2007 Bank Reconciliation with an all funds reconciled balance of $524,673.62. This was seconded by Phil. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried.

Linda made a motion to adopt Resolution R-2008-1 A REOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER TO ESTABLISH EMS SPECIAL REVENUE FUND NUMBER 2906 FOR ALL FUNDS RECEIVED FROM EMS BILLINGS OF THE WINDHAM FIRE DEPARTMENT FOR THE USE OF OPERATING EXPENSES AND CAPITAL IMPROVEMENT EXPENSES FOR THE FIRE RESCUE SERVICE AND DECLARING AN EMERGENCY. The motion was seconded by Phil. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried

Linda then made a motion to adopt Resolution R-2008-2 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER TO ESTABLISH FIRE CALL SPECIAL REVENUE FUND NUMBER 2907 FOR ALL FUNDS RECEIVED FROM FIRE CALL BILLINGS OF THE WINDHAM VILLAGE FIRE DEPARTMENT UNDER ITS CONTRACT WITH THE ARMY NATIONAL GUARD FOR THE USE OF ANY OPERATING EXPENSES OR CAPITAL IMPROVEMENT EXPENSES FOR THE WINDHAM VILLAGE FIRE DEPARTMENT AND DECLARING AN EMERGENCY. The motion was seconded by Rachel. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried

Linda made a motion to adopt Resolution R-2008-3 A RESOLUTION ENABLING THE VILLAGE FISCAL OFFICER TO TRANSFER MONIES WITHIN THE SAME FUND FOR THE CALENDAR YEAR 2008 AND DECLARING AN EMERGENCY. The motion was seconded by Phil. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried

Linda made a motion to adopt Resolution R-2008-4 A RESOUTION ENABLING THE VILLAGE FISCAL OFFICER TO MAKE SUCH TRANSFERS BETWEEN THE ENTERPRISE DEPOSIT FUND AND THE WATER AND SEWER OPERATING FUNDS EACH MONTH IN ORDER TO PAY THE FINAL WATER AND SEWER BILLS AFTER ANY REFUND HAS BEEN REIMBURSED TO THE CLIENT AND THE ACCOUNT HAS BEEN CLOSED AND DECLARING AN EMERGENCY. The motion was seconded by Phil. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried

Linda made a motion to adopt Resolution R-2008-5 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER TO MAKE THE FOLLOWING TRANSFERS BETWEEN THE WATER AND SEWER OPERATING FUNDS, RESPECTIVELY< TO THEIR RESPECTIVE ENTERPRISE DEBT SERVICE RESERVE FUNDS TO MEET CALENDAR 2008 DEBT SERVICE REQUIREMENTS DURING 2008 AND DECLARING AN EMERGNECY. Motion seconded by Phil. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried

Linda made a motion to adopt Resolution R-2008-6 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER 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. The motion was seconded by Phil. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried

Linda made a motion to adopt Resolution R-2008-7 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER TO ADVANCE BACK FROM THE STATE HIGHWAY FUND TO THE REVOLVING LOAN FUND IN PAYMENTS OF $98.89 PER MONTH UNTIL THE $1,186.64 BALANCE HAS BEEN REPAID AND DECLARING AN EMERGENCY. The motion was seconded by Rachel. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried

Linda then made a motion to adopt Resolution R-2008-8 A RESOLUTION ENABLING THE VILLAGE FISCAL OFFICER TO RETROACTIVELY DELETE FUNDS 2071 KNOW AS X AND 4202 KNOWN AS PERMANENT IMPROVEMENT FUND DURING JANUARY 2008 AND DECLARING AN EMERGENCY. The motion was seconded by Phil. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried

Phil then made a motion to suspend the rules on new Ordinance O-2008-1 which would revise the pay ranges for the Fiscal Officer, Income Tax Administrator, Street Superintendent and Village Utilities Clerk. The motion was seconded by Matt. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried
Linda then made a motion to adopt Ordinance O-2008-1 which was seconded by Phil. adopt Resolution R-2008-9 approve Marian Garrett as the Financial Consultant and Coordinator for the 2005 and 2006 State Audits. Phil seconded the motion. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried

Ordinance O-2007-17 was given a second reading an Ordinance to establish 157 Section 157.01 of the Codified Ordinance of the Village of Windham to establish the Village response for cremation of indigent decedents under Section 9.15 of the Ohio Revised Code.

The Finance Committee and Mayor recommend the Primary Checking Account be made an interest bearing account. A motion was made by Linda and seconded by Phil to make the Primary Checking Account an interest bearing account. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder Nays: None. Motion carried

Safety / Personnel / Rules Committee by Phil Snyder. Phil gave the 2nd reading of Ordinance O-2007-18 to repeal the bow hunting ordinance.

Phil gave the first reading of Ordinance O-2008-2 AN ORDINANCE ADDING SECTION 155.14 TO THE CODIFIED ORDINANCE OF THE VILLAGE OF WINDHAM IN ORDER TO PROVIDE AN EDUCATIONAL INCENTIVE FOR FULL TIME VILLAGE EMPLOYEES DECLARING AN EMERGENCY AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES.

Phil gave the first reading of Ordinance O-2008-3 AN ORDINANCE ADDING SECTION 155.051 TO THE CODIFIED ORDINANCE OF THE VILLAGE OF WINDHAM IN ORDER TO DEFINE SERVICE TIME AND EARNED TIME FOR VILLAGE EMPLOYEES IN ORDER TO CLARIFY VILLAGE POLICY DECLARING AN EMERGENCY AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES.

Phil made a motion to adopt Resolution R-2008-9 A RESOLUTION APPROVING THE PURCHASE OF A POLICE CRUISER IN THE AMOUNT OF $10,500. The motion was seconded by Scott. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, P. Snyder. Nays: L. Rininger. Motion carried.

Service Committees: (Utilities, Street & Sidewalks, Housing Code, Buildings & Properties)
Utilities
Utilities report by Scott Garrett. Nothing from this committee at the present time.

Streets and Sidewalks report by Jodi Minotti. Jodi spoke about our storm sewer system and how to keep debris out of it. We currently expend approximately $3000 to A-1 Drain to assist with this. She also said that the numbers on the buildings cannot be seen at night. She was told that this would need to be taken up and changes made to the Building Code. There also is considerable garbage and furniture at the road as observed by Jodi when she drove around through the Village on Sunday.

Housing Rental License Code by Phil Snyder. Phil said that he and Tom Brett are attempting to establish better communications with landlords.

Village Buildings and Properties by Matt McManus. Nothing from this committee at this time since Matt only just found out he is chairing the committee.

Planning and Zoning Commission by Matt McManus. Matt said there is no report for this month..

Parks and Recreations by Matt McManus. No report at this time.

Bicentennial Committee by Kelly Meszaros – Kelly missed the last couple of meetings, however she said the legacy project is ongoing and she has submitted our flag to the committee.

Economic Development and Long Range Planning by Jodi Minotti. – Nothing at this time.

Tax Incentive Review Committee by Scott Garrett – Nothing at this time.

Records Commission by Scott Garrett. – No report at this time.

Village Solicitor report by Mark Manlove. – No report.

Guest Recognition.

Maurice Hankins Village Administrator said the contractor is done with the floors and bullet proof material and the south wall in the remodeling of the Police Department. The Fire Department has a fog horn out of service and the big tank will be relocated in the back. The Police Dispatch area is getting close to being designed.

Cathey DeBord of Family and Community Services said they meet quarterly in the Hoverman Center and are interested in working with any neighborhood block clubs. Jodi said that people don't participate in the block clubs. Phil said he would take her card and contact her to see if some interest could be generated in neighborhood block clubs.

Phil made a motion to enter into executive session to receive an update on the pending lawsuit against the Township and Township Trustees and for Personnel Issues. The motion was seconded by Scott. . Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, P. Snyder. Nays: L. Rininger. Motion carried. The Council left to enter executive session at 7:59 PM.

A motion was made at 8:37 PM to return from executive session by Phil and seconded by Rachel. Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, P. Snyder. Nays: L. Rininger. Motion carried.

Phil moved and Linda seconded the motion for adjournment and with no dissention the meeting was closed at 8:37 PM.

Respectfully submitted, Attest

Lloyd C. Billman, Clerk of Council Robert W. Donham II, Mayor