

**RESOLUTION NO. R-2013-38**

**A RESOLUTION TO CREATE A SALARY LINE ITEM IN THE DUI FUND OF  
THE VILLAGE OF WINDHAM, (FUND 2904) AND DECLARING AN  
EMERGENCY**

**WHEREAS**, at present there is an amount of money in the Police DUI Fund (2904) which fund has been established for law enforcement detection and activity against individuals who are breaking the driving under the influence laws of the Village and State of Ohio; and

**WHEREAS**, at the Council meeting on November 26, 2013 the agenda indicated that the Council was given an opportunity to pass a motion to establish payroll line items within the Police DUI Fund (2904) so as to make the funds in the Police DUI Fund available to pay officers to detect, arrest and convict individuals who are violating the Village of Windham and State of Ohio driving under the influence laws; and

**WHEREAS**, at the November 26, 2013 council meeting the Village Solicitor advised that the better avenue is to establish the authority of having payroll line items in the Police DUI Fund is via legislation; and

**WHEREAS**, this action is legislation anticipated by the Village Council at the meeting on November 26, 2013.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Windham, Portage County, State of Ohio, two thirds (2/3) or more of the members thereto concurring that:

SECTION 1: The Fiscal Officer is directed to establish payroll line items within the Police DUI Fund (2904) so that the money located in that Fund can be used to enforce driving under the influence laws against individuals who are violating those laws.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 5: The Village Council finds that this Resolution is declared to be an emergency measure, effective immediately upon its passage in order to promote the health, safety and general welfare of the Village so as to ratify actions of the Windham Fiscal Officer and the Police Department in paying officers for identifying, pursuing, arresting and prosecuting individuals who are violating the Village of Windham and State of Ohio drunk driving laws.

PASSED IN COUNCIL this 17th day of December, 2013.

Vote of Council: Ayes: Mr. Garrett, Mrs. Prem, Mr. Snyder, Mrs. Barrett, Ms. Blewitt,  
Mrs. Miranda                      Nays: None.

ATTEST:

\_\_\_\_\_  
Lloyd Billman, Fiscal Officer

APPROVED:

\_\_\_\_\_  
Robert W. Donham, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas Reitz, Solicitor