

**VILLAGE OF WINDHAM  
OHIO  
ORDINANCE NO. O-2010-14**

**AN ORDINANCE APPROVING AN ADVISORY ELECTION QUESTION TO BE  
PLACED ON A VILLAGE WIDE BALLOT AT THE NEXT SCHEDULED  
GENERAL ELECTION WITHIN THE VILLAGE AND REQUESTING THAT  
THE PORTAGE COUNTY BOARD OF ELECTIONS PLACE THIS ISSUE ON  
THE BALLOT**

**WHEREAS**, the Council of the Village of Windham has determined that the present Municipal Center located at 9621 East Center Street in the Village of Windham is in poor and deteriorating condition; and

**WHEREAS**, the Council of the Village of Windham has determined that in order to provide for an appropriate administrative center for the Village of Windham, the existing Municipal Center must undergo substantial renovation and repair, or a new location must be agreed upon; and

**WHEREAS**, it has come to the attention of the Council of the Village of Windham that a potential location for a relocated Municipal Center exists within the Renaissance Family Center of Windham, Ohio, Inc., located at 9005 Wilverne Drive, Windham, Ohio; and

**WHEREAS**, the Council of the Village of Windham declares that the Village commitment to assist in the payment for or provision of space for the Portage County Public Library in Windham is hereby acknowledged and continues. The commitment to assist in the payment for or provision of space for the Portage County Public Library in Windham is contemplated to be addressed by an arrangement directly with the Portage County Public Library, and outside of the prospective lease with the Renaissance Family Center of Windham, Ohio, Inc.

**WHEREAS**, prior to entering into a lease with the Renaissance Family Center of Windham, Ohio, Inc., the Village Council wishes to obtain the voters' input into the proposed lease, and have been advised by the Village Solicitor that the proper method to accomplish this is through an advisory election being conducted prior to the Council's execution of the proposed lease; and

**WHEREAS**, the Village Council wishes to transmit such an advisory election request to the Portage County Board of Elections to be placed before the electorate of the Village of Windham at the next Village wide general election.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Village of Windham, Portage County and State of Ohio, the majority or more of the members thereto concurring that:

SECTION 1. The Village Council hereby expresses its desire to learn of the preference of the Village of Windham's voters concerning the proposed relocation of the Municipal Center to 9005 Wilverne Drive in Windham, Ohio, under a long term lease, which lease

will be in substantial conformity with the lease agreement attached hereto, and marked for identification as Exhibit "A".

SECTION 2. Pursuant to Article XVIII, Section 3 of the Ohio Constitution, the Village Council hereby directs the Fiscal Officer to transmit the following ballot issue to the Portage County Board of Elections, for inclusion in the next Windham, Village wide general election.

“Shall the Village of Windham enter into a long term lease for the purpose of relocating the Village Municipal Center to a portion of the building owned by the Renaissance Family Center of Windham, Ohio, Inc., which building is located at 9005 Wilverne Drive within the Village of Windham?”

SECTION 3. This issue shall be referred to the Portage County Board of Elections for submission to a referendum vote of the qualified electors of the Village of Windham at the general election to be held on November 2, 2010.

SECTION 4. That the ballots at said election shall, at the top thereof, be entitled "Advisory Election on Municipal Lease", and the question to be submitted on said ballot shall be in the following words:

“Shall the Village of Windham enter into a long term lease for the purpose of relocating the Village Municipal Center to a portion of the building owned by the Renaissance Family Center of Windham, Ohio, Inc., which building is located at 9005 Wilverne Drive within the Village of Windham?”

To the left of said wording, with an appropriate space for marking, shall appear the words "Yes" and "No" and each voter shall indicate his or her vote in the space provided.

The entire text of the proposed lease need not appear on the ballot, provided that the entire copy of the text, along with the percent of the affirmative votes required for passage is posted in a conspicuous location in each polling place.

SECTION 5. That the Fiscal Officer is hereby authorized and directed to have a copy of the proposed long term lease agreement available to members of the public at all times from the date of passage of this Ordinance until the date of the general election.

SECTION 6. That the Fiscal Officer is hereby authorized and directed to certify a copy of this Ordinance to the Board of Elections on or before August 4, 2010, by 4:00 pm.

SECTION 7. That the Fiscal Officer is hereby authorized and directed to request notice of that election be given, as provided and/or required by law.

SECTION 8. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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.

PASSED IN COUNCIL this 29<sup>th</sup> day of July, 2010.

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

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Robert Donham, Mayor

I hereby certify that the above Ordinance was duly published by public posting at predesignated posting places.

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

APPROVED AS TO FORM:

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