

Village of Windham, Ohio
Minutes of the Regular Council Meeting

Held July 17, 2007

At 7:00 PM, the Honorable Mayor C. James Moore called the meeting to order and led in the Pledge of Allegiance.

Roll Call: Rachel Barrett – present, Scott Garrett – present,
 Robert Donham – present, Jodi Minotti – present,
 Marian Garrett – present, Phil Snyder – present

Also present, Village Solicitor Mark Manlove, Village Administrator Maurice Hankins, Police Chief Ed Perdian, Nancy Packard, Jess Wierick, Harry Skiles, Clair Simpson, Marsha Byich, Tim Wilmington, Eric Hedge, Don Jovich.

The minutes of the June 19, 2007 Regular Council Meeting were reviewed. Phil Snyder made a motion to approve the minutes. Seconded by Rachel Barrett. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Village Fiscal Officer reports, Lloyd Billman. The Fiscal Officer reviewed the expenditures for the month of June including checks, charges, etc was \$351,917.67 and the June Bank Reconciliation was given with the all funds reconciled balance of \$596,827.34 for the month. The Income Tax Administrator has returned from a three day seminar at Columbus with a lot of good information.

Village Council President, Scott Garrett

Scott applauded the work of the Joint Fire District Exploratory / Advisory Committee.

Rachel Barrett presented the Dispatchers, Police, Fire and Rescue Squad (EMS) report for the month of June 2007.

Mayor Moore presented the Mayor's report to Council. Mayor Moore stated that the closing of the USDA-RD loans for the East Center Street Sewer Project will be held on Friday July 27, 2007 with the pre-closing meeting to be held on Tuesday July 24, 2007 at 9:30 AM.

The Mayor assisted the Joint Fire District Exploratory / Advisory Committee with information and preparation for their Public Meetings which were held June 28, July 12 and July 16, 2007.

The Mayor said Police Chief Perdian had made a recommendation to him to appoint Police Officer Tim Wilmington to Full Time Police Officer. This was reviewed by the Finance and Safety Committees. Refer to corresponding entry in the Safety / Personnel / Rules Committee.

The Mayor presented a letter addressed to Atty. Mark Manlove from Atty. Robert Paoloni responding to Atty. Manlove's letter about former Council Member Sonya Edwards.

A copy of the Mayor's comments at the dedication of Ball Field # 1 in honor of Jeff Stanley this past Saturday.

The Mayor called on Village Administrator Maurice Hankins who made a presentation from the Joint Fire District Exploratory / Advisory Committee. After the presentation, Marian Garrett moved to adopt a resolution to form the Windham Joint Fire District. The motion was seconded by Phil Snyder. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

There were no prior requests of guests to speak.

Finance Committee Report by Scott Garrett. Scott made a motion to approve the Fiscal Officer's Expenditures for June in the amount of \$351,917.67 in checks and charges, etc. The motion was seconded by Phil. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Scott then made a motion to approve the June 2007 Bank Reconciliation with an all funds reconciled balance of \$596,827.34. This was seconded by Rachel. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Scott then presented a new Resolution No. R-2007-18 adopting the Preliminary 2008 Budget of \$2,140,210.38 which is required to be filed with the Portage County Auditor on or before July 20, 2007. Scott moved to adopt the resolution which was seconded by Phil. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: none. Motion carried.

Scott introduced a new Resolution No. R-2007-19 authorizing a loan for \$555,000.00 from USDA-RD for payment of the cost of the new sewer line replacement. This is a requirement for the loan closing and repeals and replaces previous legislation on this matter. Scott moved to suspend the rules on this legislation and Phil seconded the motion. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried. Scott then moved for adoption of Resolution No. R-2007-19 which was seconded by Rachel. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Scott then introduced a new Ordinance No. O-2007-7 which authorizes the issuance of Mortgage Revenue Bonds for the E. Center Street Sewer Project in the aggregate principal amount of \$705,000.00. Scott made a motion to suspend the rules which was seconded by Phil. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried. Scott then moved to adopt Ordinance No. O-2007-7. Phil seconded the motion. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

A new Ordinance No. O-2007-8 was read by Scott. This Ordinance amends Section 181.091(e) of the Codified Ordinance to increase the penalty for landlords not complying with the requirement to provide the names of tenants to the Village Income Tax Department. A first offense would constitute a minor misdemeanor (the current penalty for which is a \$150 fine) and second and subsequent offenses would constitute a fourth degree misdemeanor (the current penalty for which is a \$250 fine and 30 days in jail). Scott moved to suspend the rules which was seconded by Phil. Ayes: R. Barrett, R. Donham, S. Garrett, J. Minotti, P. Snyder. Nays: M. Garrett. Motion carried. Scott then moved to adopt the Ordinance which was seconded by Phil. Ayes: R. Barrett, R. Donham, S. Garrett, J. Minotti, P. Snyder. Nays: M. Garrett. Motion carried.

Scott then gave the first reading for a new Ordinance No. O-2007-9 increasing the salary of Council Members to \$150.00 per meeting and Council President to \$175.00 per meeting effective for the term commencing January 1, 2010. Scott explained that this a very nominal increase and would not take place until after the current council terms have expired. This Ordinance must be adopted on or before the filing deadline of August 23, 2007 in order to be effective this year.

Scott then gave the first reading of a new Ordinance No. O-2007-10 increasing the annual salary for the Mayor to \$9000.00 effective January 1, 2008. Even with this increase, we are still on the low end in comparison to other Villages in our County. This Ordinance must be adopted on or before the filing deadline of August 23, 2007 in order to be effective this year.

Scott gave the first reading of a new Ordinance No. O-2007-11 increasing the annual salary for the Village Administrator to \$6800.00 effective January 1, 2008. This Ordinance can be read for all three readings before being voted upon.

Safety / Personnel / Rules Committee by Rachel Barrett. Rachel gave the committee report for the July safety meeting.

A motion was made by Phil Snyder and seconded by Robert Donham approving the Mayor's appointment of Part Time Police Officer Tim Wilmington to Full Time Police Officer effective Sunday July 22, 2007. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Chief Ed Perdian's June 22, 2007 Press Release "Report on Progress" was presented and Rachel also stated that the K-9 unit was progressing nicely.

The answer by Fire Chief Clair Simpson is that a Fire Inspector must be an active member of the Fire Department and must have received training and completed course work in order to perform these duties.

Service Committees: (Utilities, Street & Sidewalks, Housing Code, Buildings & Properties)

Utilities

Utilities report by Scott Garrett. Minutes have been handed out. There is nothing which requires immediate action. They are looking very closely at a comparison between the amount of water produced vs. amount billed. They are also going to be going after violators of water fraud.

Streets and Sidewalks report by Phil Snyder. No report.

Housing Rental License Code by Jodi Minotti. Jodi said everything is going real well except she has been trying to get the garbage situation taken care of.

Village Buildings and Properties by Marian Garrett. Marian said that the application which was made through the State Community Distress Grant must go through Portage County for any local funding.

She said Local Government Services has completed their work so we should be having our post audit soon.

Marian made a motion to approve the payment of \$1000.00 to Stier Home Improvement for the extra work needed to complete the renovation of the building renovation which was approved by Council under Resolution No. R-2007-7 for \$17,800.00. The extra \$1000.00 is to be paid out of the Revolving Loan Fund. Village Administrator Hankins approves. The motion was seconded by Robert Donham. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Marian moved that Council approve Stier Home Improvement to do the necessary work on the Community Building to keep out the birds and authorize the Mayor and Fiscal Officer to enter into a contract with Stier Home Improvement to pay \$1800.00 for labor and material to complete the work. This payment is to come from the Building Fund or General Fund. The motion was seconded by Phil Snyder. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Marian moved to approve the expenditure of an additional \$10,000.00 as needed to complete the rear offices renovation per Village Administrator Hankins' presentation. The motion was seconded by Scott. The monies are to be paid from the General Fund as needed. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Planning and Zoning Commission by Phil Snyder. Phil said Cortland Bank has applied for a variance on the fence and a public hearing will be advertised and held.

Parks and Recreations by Phil Snyder. The activities for the Jeff Stanley day at the park were finalized at that meeting. The dedication ceremony was well attended and very well received.

Bicentennial Committee by Sonya Edwards. Sonya was not present. Phil will telephone her. Marian spoke about a kiosk (display) dealing with the upcoming bicentennial and said we should look for it at the Fun-in-the-Son activity.

Economic Development and Long Range Planning by Jodi Minotti. – No report.

Tax Incentive Review Board by Marian Garrett & Scott Garrett. – No report.

Records Commission by Scott Garrett. – No report.

Solicitor report by Mark Manlove. – No report.

The Mayor announced executive session to discuss the Village Solicitor's contract and some legal issues relative to the Police Department codes. A motion was made by Phil and seconded by Scott to enter into executive session. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried at 8:35 PM.

Marian moved and Bob seconded to return to regular session at 9:01 PM. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Marian read a new Ordinance No. O-2007-12 authorizing the Mayor and Fiscal Officer to enter into an employment agreement with Atty. Mark Manlove as Village Solicitor from
Page 4 of 5

August 1, 2007 through July 31, 2009. Phil moved to suspend the rules and Scott seconded the motion. Ayes: R. Barrett, R. Donham, M. Garrett, S. Garrett, J. Minotti, P. Snyder. Nays: None. Motion carried.

Marian then moved to adopt Ordinance O-2007-12 which was seconded by Phil. Ayes: R. Barrett, M. Garrett, S. Garrett, P. Snyder. Nays: R. Donham, J. Minotti. Motion carried.

Guest recognition – Marsha Byich spoke about some concerns of having enough money down the road if the collections of our Income Tax isn't as great as it is right now for the proposed increases of salary of our elected officials and the money we are putting in our building.

Bob Donham moved and Phil seconded and with all in favor the meeting was adjourned at 9:09 PM.

Respectfully submitted,

Attest

Lloyd C. Billman, Clerk of Council

C. James Moore, Mayor