

# *Village of Windham, Ohio*

## Minutes of Special Council Meeting Regular Council Meeting Held at Other than Regular Date)

Held September 29, 2011

At 7:00 PM, the Honorable Mayor Robert W. Donham II called the meeting to order and led in the pledge of allegiance to the Flag of our Nation..

Roll Call:        Rachel Barrett – present,                    Scott Garrett – present,  
                      Kelly Meszaros – present,                Jena Miranda – present,  
                      Linda Rininger – present,                    Phil Snyder – present

Also present were Atty. Tom Reitz Solicitor, Police Chief Eugene Fixler, Village Administrator Mike Iwanyckyj, Sheryl Prem, Denise Bly, Cecilia Swanson, Dalcynthia Barnett, and Jennifer Berdella

A motion was made by Mrs. Rininger to amend the agenda to change language of Resolution R-2011-60 and adding Resolution R-2011-61, Ordinance O-2011-27 and remove the executive session.. The motion was seconded by Mrs. Meszaros and carried unanimously.

**The minutes of the August 23, 2011 Special Council Meeting** were reviewed and on a motion to approve by Mr. Snyder and second by Mrs. Barrett and a vote of Council which unanimously affirmed the motion.

### **The Fiscal Officer's Financial Reports** by Lloyd Billman

The Income Tax total for August 31, 2011 year to date is \$395,435.48 of which \$57,065.83 is due to declarations for estimated tax.

The expenditures for the month of August 2011 of \$145,872.72 in checks, charges, etc. Check numbers 26583 through 26704 were paid from the Primary Checking Account during August. Checks number 26071 was voided during August 2011.

The all funds August 2011 Bank Reconciliation all funds reconciled balance was \$545,177.46.

**Village Council President's Report** by Mrs. Rininger – Mrs. Rininger asked about the Water Plant bid specs. Mr. Donham replied that Dan Moss is still reviewing them and they will probably be ready a week out.

**Dispatchers, Police, Fire and Rescue Squad (EMS) reports for August 2011 were given by Mrs. Meszaros.** Mrs. Meszaros then made a motion to accept the report which was seconded by Mr. Garrett and carried unanimously by the vote of Council.

**Mayor's Communication and Correspondence** Mayor Donham said he would reserve his comments until the end.

**Prior requests of guests to speak.** Cecilia Swanson, Director Portage County District Library wanted to let everyone know that the Library is on the ballot for November. They are down about 30% in revenue and are operating at 1996 funding levels. They anticipate a reduction of about \$116,000 next year and are asking for support to vote for the Library Levy.

### **Finance by Linda Rininger**

Mrs. Rininger made a motion to approve the Fiscal Officers expenditures for the month of August 2011 of \$145,872.72 in checks, charges, etc with check numbers 26583 through 26704 being paid from the Primary Checking Account during August. Check number 26701 was voided during August 2011. The motion was seconded by Mr. Garrett and carried by a 6 – 0 vote of Council.

Mrs. Rininger made a motion to approve the Fiscal Officers August 2011 Bank Reconciliation with an all funds reconciled balance of \$545,177.46 and the following monthly reports for the month ending August 31, 2011: Fund Summary, Appropriation Summary, Revenue Summary, Payment Register, Charge Register, Expenditure Summary, Cash Summary by Fund. Approval of the following Year to Date Reports through August 31, 2011: Cash Summary by Fund, Comparison of Budget versus Actual Receipts, Comparison of Disbursements and Encumbrances. The motion was seconded by Mrs. Miranda and carried by a 6 – 0 vote of Council.

Mrs. Rininger read Resolution R-2011-58 **A RESOLUTION AUTHORIZING THE VILLAGE FIXCAL OFFICER OF THE VILLAGE OF WINDHAM TO CREATE A THEN AND NOW PURCHASE ORDER(S) TO PAY STREETSBORO SALES & SERVICE, INC. RURAL WATER STORAGE, LLC, SCOTCHMAN ELECTRIC, OHIO POLICE & FIRE PENSION FUND, OHIO EDISON COMPANY, WESTERN RESERVE FARM COOPERATIVE AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Mrs. Barrett and carried by a 6 – 0 vote of Council. Mrs. Rininger then made a motion to adopt Resolution R-2011-58 which was seconded by Mrs. Barrett and carried unanimously.

Mrs. Rininger read Ordinance O-2011-31 **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 Mrs. Meszaros and carried by unanimous vote of Council. Mrs. Rininger then made a motion to adopt Ordinance O-2011-31 which was seconded by Mrs. Barrett and carried by unanimous vote of Council.

Mrs. Rininger read Resolution R-2011-60 **A RESOLUTION AUTHORIZING A PRODUCTS AND SERVICES AGREEMENT WITH CENTURYLINK SALES SOLUTIONS, INC** as a first reading

Mrs. Rininger read Resolution R-2011-61 **A RESOLUTION AUTHORIZING A PRODUCTS AND SERVICES AGREEMENT WITH GE CAPITAL SOLUTIONS** as a first reading..

### **Safety / Personnel / Rules by Kelly Meszaros**

Mrs. Meszaros made a motion to approve hiring of Dalcyntia Barnett as part-time dispatcher effective September 30, 2011 which was seconded by Mr. Snyder and carried by unanimous vote of Council.

Mrs. Meszaros made a motion to approve the appointment of Steven Boxler as sworn auxiliary officer, Jennifer Berdella as civilian volunteer auxiliary, and Ryan Connell as civilian volunteer auxiliary. Chief Fixler suggested that Steven Boxler's name be removed from consideration at this time. Mrs. Meszaros made a motion to amend the original motion and omit Steven Boxler's name which was seconded by Mr. Garrett and carried by a 6 – 0 vote of Council. Mrs. Meszaros then made a motion to approve the amended motion which was seconded by Mr. Garrett and carried unanimously.

Mayor Donham then swore in Dalcynthia Barnett and Jennifer Berdella after which all present gave them a round of applause and their appropriate paperwork was signed.

Mrs. Meszaros made a motion to observe Halloween Trick or Treat on Monday, October 31, 2011 which was seconded by Mrs. Rininger and carried by unanimous vote of Council.

Mrs. Meszaros made a motion to date and distribute paychecks which would normally be dated 11/25/2011 on 11/23/2011 because November 24 is Thanksgiving and November 25 is observed as the day after Thanksgiving Holiday. The motion was seconded by Mrs. Rininger and carried unanimously.

After a suggestion by Council President Rininger and some discussion, Mrs. Meszaros made a motion to table the observance of Christmas Eve Day Holiday as Friday, December 23, 2011 and the Christmas Holiday as Monday, December 26, 2011. The decision will be deliberated in Committee before bringing it to Council for vote. Mrs. Rininger seconded the motion which passed by 6 – 0 vote.

The motion for dating and distribution of paychecks from 12/23/2011 to 12/22/2011 was likewise tabled by a motion from Mrs. Meszaros, second by Mrs. Rininger and unanimous vote of Council.

### **Utilities by Scott Garrett –**

Mr. Garrett read Resolution R-2011-59 **A RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE 2011 WATER METER CHANGE OUT PROJECT WITHIN THE VILLAGE OF WINDHAM, PORTAGE COUNTY, OHIO AND DECLARING AN EMERGENCY** Atty. Tom Reitz suggested that there be a motion to amend the legislation by adding the anti-terrorist affidavit to the document. Mr. Garrett made a motion to amend the legislation as suggested which was seconded by Mrs. Miranda and carried by unanimous vote of Council. Mr. Garrett then made a motion to suspend the rules which was seconded by Mrs. Rininger and carried unanimously. Mr. Garrett then made a motion to adopt Resolution R-2011-59 as amended which was seconded by Mrs. Meszaros and carried by unanimous vote of Council.

Mrs. Garrett read Ordinance O-2011-27 **AN ORDINANCE REPEALING ORDINANCE O-2011-16** as second reading.

**Streets and Sidewalks by Rachel Barrett** Mrs. Barrett asked if Solicitor Reitz had created legislation for removing lights at the township green and he said it was his understanding that he was to write a letter however he is still awaiting information from the Mayor in order to accomplish this.

### **Housing Rental License Code by Rachel Barrett**

Mrs. Barrett said she had nothing at this time.

**Village Buildings and Properties by Jena Miranda**

Mrs. Miranda said she thinks we should respond to the Township in reply to their letter since they sent individual letters to members of Council. She also would like to see some cameras in the Council Room to provide additional security.

**Parks and Recreation by Phil Snyder**

Mr. Snyder had no report at this time.

**Planning and Zoning by Phil Snyder** Mr. Snyder said he had nothing to report

**Solicitor’s Report by Atty. Tom Reitz** Atty. Reitz.said he wanted to give a follow-up on planning and zoning. He has written a letter to Anthony Hood advising him of his rights and has not received a reply.

**Guest Recognition**

**Any Other Business Properly Before the Council** There was some general discussion about changing the meeting date for November due to conflicts but nothing was decided.

Mrs. Meszaros made a motion to adjourn the meeting which was seconded by Mrs. Rininger and carried by unanimous vote and the meeting was closed at 7:44 PM.

Respectfully submitted,

Attest

Lloyd C. Billman, Clerk of Council

Robert W. Donham II, Mayor