

Village of Windham, Ohio

Minutes of Regular Council Meeting

Held September 23, 2014

At 7:00 PM Honorable Mayor Robert W. Donham II called the meeting to order and led in the Pledge of Allegiance to our nation's flag.

Also present were: Police Chief Eric Breiding, David Fall Street Superintendent, Larry Kuhlman, Bill Pennington Sewer Superintendent and Village Administrator, Jim Moore, Katie Mizner and Denise Bly

Roll Call: Rachel Barrett – present, Deborah Blewitt – present,
Scott Garrett – present, Sheryl Prem – present,
Linda Rininger – present Randal Slusher – present

Mrs. Barrett made a motion to approve the minutes of the August 26, 2014 Regular Council Meeting which was seconded by Mr. Slusher and carried by a 6 – 0 vote.

Fiscal Officer Billman gave the Financial Reports as follows: The Income Tax collected year to date August 31, 2014 was \$347,508.59 with \$26,309.16 of the total due to declarations of estimated tax. The expenditures for the month of August 2014 were \$142,571.29 in checks and charges. Check numbers 30435 through 30444, 30454 through 30455 and 30463 through 30523 were paid from the primary checking account during August 2014 with check number 30464 voided during the month. Direct Deposit Vouchers 257-2014 through 271-2014, 273-2014, 279-2014 through 290-2014 and 295-2014 through 306-2014 were also paid during the month of August 2014. The all funds reconciled balance for August 2014 was \$1,307,366.39.

Mr. Billman then indicated to Council that the Auditor of State's Office would be unable to perform our annual audit next year and we would have that audit done for 2014 by an Independent Auditor.

Mayor Donham said we have gotten good service from the State Auditor's Office but I always do consider it a sort of badge of honor or a feather in our cap so to speak when you're able to go with an independent audit. In 2007 we were unauditible and we did three audits that year. Our books were in a complete disarray. I think Lloyd from then till now, over the past seven years, has brought us from really as bad as you can possibly be on an audit to as good as you can possibly be because they don't turn you over to an independent auditor until the State Auditor is comfortable that there is nothing for them to do here that it can be, for lack of a better term, rubber stamped by an independent auditor to go through and check the normal stuff and move you along. So that is something that I think we should be very proud of and that Lloyd should be very proud of and we should recognize Lloyd in his diligence over the years in straightening out the books. Thank you Lloyd.

Village Council President's report by Deborah Blewitt. Ms. Blewitt spoke about a letter from C. James Moore indicating an interest in being selected to represent the Village on the WVFD Joint Fire District. Ms. Blewitt moved and Mr. Garrett seconded the motion that Mr. Moore be appointed as the Village's representative on the WVFD Joint Fire District Board through December 2015. Mayor Donham asked if Ms. Blewitt had spoken with the Windham Township Trustees about this appointment. She indicated she had not. The vote was taken and passed 6 – 0.

Dispatchers Police, Fire and Rescue Squad Report for August 2014 by Deborah Blewitt. Ms. Blewitt made a motion to accept the report which was distributed at the SPR meeting earlier in the month. Mr. Garrett seconded the motion which carried by unanimous vote.

Mayor Donham said he will save his comments until they are appropriate for the agenda items.

Prior requests of guest to speak – There were no prior requests of guests to speak.

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officer's expenditures for the month of August 2014 in the amount of \$142,571.29 in checks, direct deposits and charges with check numbers 30435 through 30444, 30454 through 30455 and 30463 through 30523 paid from primary checking during August 2014 with check number 30464 voided during the month. Direct Deposit vouchers 257-2014 through 271-2014, 273-2014, 279-2014 through 290-2014 and 295-2014 through 306-2014 were also issued during the month. Ms. Blewitt seconded the motion which passed by a 6 – 0 vote of Council.

Mr. Garrett made a motion to approve the all funds reconciled bank balance for August 2014 in the amount of \$1,307,366.39 and the following monthly reports distributed to Council for the month ending August 31, 2014: Fund Summary, Expenditure Summary, Cash Summary by Fund and the following Year to Date Reports through August 2014: Cash Summary by Fund, Comparison of Budget and Appropriated. The motion was seconded by Mrs. Rininger and carried by unanimous vote.

Mr. Garrett read Resolution R-2014-26 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CREATE A THEN AND NOW PURCHASE ORDER(S) TO PAY COSE / MEDICAL MUTUAL OF OHIO , OHIO EDISON COMPANY AND DECLARING AN EMERGENCY** and made a motion to suspend the rules which was seconded by Ms. Blewitt and carried by unanimous vote. Mr. Garrett made a motion to adopt Resolution R-2014-26 which was seconded by Ms. Blewitt and carried by unanimous vote.

Mr. Garrett read Ordinance O-2014-20 **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 Mr. Slusher and carried by unanimous vote. Mr. Garrett then moved to adopt Ordinance O-2014-20 which was seconded by Ms. Blewitt and carried by unanimous vote.

Mr. Garrett read Resolution R-2014-24 **A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO AN AGREEMENT FOR UTILITY BILLING AND INCOME TAX MANAGEMENT SERVICES WITH CREATIVE MICROSYSTEMS, INC.** as a second reading.

Mr. Garrett read Resolution R-2014-25 **A RESOLUTION AUTHORIZING THE LEASE AND SUBSEQUENT PURCHASE OF THREE 2014 FORD UTILITY POLICE INTERCEPTOR ALL WHEEL DRIVE VEHICLES AND DECLARING AN EMERGENCY.** This would normally have been a second reading. Mayor Donham said we should open this up for discussion. Mrs. Rininger was concerned about the amount and whether we can justify this as an emergency. She knows that Solicitor Reitz gave an opinion that this
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could be considered an emergency but she still is not comfortable. Solicitor Reitz said this is not a questionable call. Mr. Slusher asked if Ms. Blewitt had mentioned that Trisha (Officer Trisha Fall) had no lights on her (police) vehicle the other night. Mrs. Barrett said she was comfortable with two vehicles but not three. Mayor Donham said we can't get (road) salt quotes and currently the quotes for both state and county are seven times what they were a year ago. He thought Council should suspend the rules and vote. Mr. Garrett spoke about the forecast of the weather (for the winter) and indicated we need to get better vehicles. Mayor Donham agreed and said he wasn't concerned financially. Chief Breiding has done an excellent job with his budget and he could pay for two years of lease payments right now. Mrs. Rininger said she was concerned about the expense on the General Fund. The roll call vote to suspend the rules was taken and was 5 – 1 in favor with Mrs. Barrett being the sole no vote. Mr. Garrett made a motion to adopt Resolution R-2014-25 which was seconded by Ms. Blewitt and again the vote was 5 – 1 in favor with Mrs. Barrett casting the dissenting vote.

Safety, Personnel, Rules (SPR) by Deborah Blewitt

Ms. Blewitt made a motion to approve Thursday, October 30, 2014 from 6 PM until 8 PM as the time to observe Trick or Treat. Mr. Garrett seconded and the motion carried by unanimous vote.

Utilities by Rachel Barrett

Mrs. Barrett read Ordinance O-2014-18 **AN ORDINANCE TO REVISE AND AMEND SECTION 923.03 OF THE VILLAGE OF WINDHAM UTILITY CODE TO ADJUST WATER RATES FOR THE PURCHASE OF WATER FROM THE VILLAGE AND DECLARING AN EMERGENCY** as a third reading and Mr. Garrett made a motion to adopt Ordinance O-2014-18 which was seconded by Mr. Slusher. Considerable discussion followed with Mr. Garrett clarifying that this gives a break from 6,000 to 10,000 gallons at a reduced rate of \$2.00 per thousand. Mayor Donham explained that this helps with the (billing) swings in the summer when people are watering their lawns and washing cars. There are approximately 70 customers and this would result in a \$15 lessor bill. Our annual budget for the water plant is \$560,000 and he expects to see better efficiencies. With new cost and pricing on salt and caustic soda we are saving \$25,000 per year. We are looking at an electrical contractor at half the cost. This would be less impact on those hit the hardest. Mr. Garrett says looking at what somebody pays on the 6000 (gallons). Mayor Donham said for just water they would pay about \$84 and another \$60 for sewer. This is not affecting the bottom line. Mrs. Rininger said for many years the low-end users were hit hard. We finally got it to the point where it is fair. Single family households had to pay a minimum. Once again the low-end users are paying a higher rate. Mayor Donham said when we have a water break we lose 20,000 to 100,000 gallons. This isn't a huge impact. The overhead rate and cost per user are not affected. We had punished large families (in the past). Ms. Blewitt said she has a hard time feeling sorry for the larger users. Ms. Blewitt then called for question on the motion. The roll call vote and the motion was defeated with five no votes and one yes vote cast by Mr. Garrett.

Service Committee by Randall Slusher

Mr. Slusher said he had nothing to report.

Economic Development by Sheryl Prem

Mrs. Prem said she has nothing to report.

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Parks and Recreation by Randall Slusher

Mr. Slusher made a motion to approve Mayor Donham's appointment of Chris Collins to serve on the Parks and Recreation Committee which was seconded by Ms. Blewitt and carried by unanimous vote.

Mayor Donham said it looks like we have two options to grade, locate and install the playground equipment from the new building to the park. It will come to \$10,000 to \$15,000 to be paid out of the RLF Fund for the labor and materials. This was then clarified to include all playground equipment. Mr. Donham will re-appropriate money in the general fund. The two placing quotes were MJM Construction and Jims Repair. Ms. Blewitt moved and Mr. Garrett seconded to authorize the Mayor and Fiscal Officer to enter into a contract not to exceed \$15,000. The vote was taken and passed by a 5 – 1 margin with Mrs. Rininger voting no.

Planning and Zoning by Deborah Blewitt

Ms. Blewitt said she has had no further meetings with Brent who owns the pharmacy. She then asked about the progress on the new building. Mayor Donham said he has still received no proposal on the rendering as yet and it has been a month. Mrs. Barrett asked Mr. Fall if we could get the weeds cut around the new building. He said he would take care of it.

Solicitor's Report by Thomas Reitz – Mr. Reitz said he had no report.

Guest Recognition

Katie Mizner asked if the zoning inspector has to come to these meeting? She was told that he was in Columbus today and normally would attend. She said we have been dealing with (a situation) – she then asked if you have to get a permit to have a dump? Somebody across from her is supposedly grandfathered in to sell used boats. Mayor Donham said he didn't believe this is a zoning issue but it is a nuisance issue. This can be handled in five days. He will talk with Bill (Pennington) and Dove (Fall) and give her a call tomorrow. It was clarified that this is at the corner of School and East Center Streets.

Jim Moore asked about the 676,000 in the Sewer Fund and what are the plans for that? Mr. Donham said we have about \$250,000 in upgrades, 30,000 in surplus and the balance in long term capital improvements.

Denise Bly asked if any of the money (from Water and Sewer Funds) would be used to pay for use of the (new) building. Mayor Donham said yes it would be split among General, Water and Sewer Funds. She then asked when we got a new Village Administrator and was told it was the meeting she missed.

Larry Kuhlman thanked Council for moving ahead on the park and asked when are we going to start the campaign for the park (ballot issue). Mayor Donham said we will start that soon. Mayor Donham was then asked when are we going to move into the new building. He replied it will not take much longer than spring as it will be about eleven weeks until construction can start.

Mr. Kuhlman inquired about part of the money generated form the Parks and Recreation Levy would be used for the Community Center. Mayor Donham said we have money in our current Minutes of September 23, 2014 Regular Council Meeting

budget, about \$5,000 to \$10,000 to get it usable. He anticipates under \$25,000 to get it usable and then we can spend \$5,000 to \$10,000 in maintenance each year.

Mr. Kuhlman said we need to know – somebody who knows what it will take money wise (to get the Community Center) usable.

Mr. Fall asked if Mayor Donham had the names of volunteers and Mayor Donham said yes – Billy (Pennington) and Dove (Fall).

Mayor Donham then congratulated Jim Moore upon being selected to serve as the Village Representative on the WVFD Joint Fire District Board.

Mrs. Barrett made a motion for adjournment which was seconded by Mrs. Rininger and all in agreement the meeting was adjourned at 8:01 PM.

Respectfully submitted,

Attest,

Lloyd C. Billman, Clerk of Council

Robert W. Donham II, Mayor

**** NOTE: THESE MINUTES ARE SUMMARY BY DIRECTION OF COUNCIL ****

All Council & Committee Meetings will be held in Windham Council Chambers, unless otherwise noted.