

*Village of Windham, Ohio*  
Minutes of Special Council Meeting  
Regular Council Meeting held at other than normal  
date

Held July 29, 2014

At 7:05 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, Bill Pennington Sewer Superintendent, Brenda Slusher, C. James Moore and Denise Bly

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

Mr. Slusher made a motion to amend the agenda adding Sal Chemical to Resolution R-2014-17 and adding Ordinance O-2014-18. The motion was seconded by Mr. Garrett and carried by unanimous vote of Council.

Mrs. Barrett made a motion to approve the minutes of the June 24, 2014 Special Council Meeting Regular Council Meeting held at other than normal date which was seconded by Mr. Garrett and carried by a 6 – 0 vote.

Fiscal Officer Billman gave the Financial Reports as follows: The Income Tax collected year to date June 30, 2014 was \$274,520.35 with \$22,274.26 of the total due to declarations of estimated tax. The expenditures for the month of June 2014 were \$202,327.94 in checks and charges. Check numbers 30266 through 30347 were paid from the primary checking account during June 2014 with no checks voided during the month. Direct Deposit Vouchers 189-2014 through 204-2014 and 208-2014 through 219-2014 were also paid during the month of June 2014. The all funds reconciled balance for June 2014 was \$1,302,358.22.

Village Council President's report by Deborah Blewitt. Ms. Blewitt said she had nothing to report.

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

Mayor Donham had nothing at this time.

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

Finance by Scott Garrett

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Mr. Garrett made a motion to approve the Fiscal Officer's expenditures for the month of June 2014 in the amount of \$202,327.94 in checks, direct deposits and charges with check numbers 30266 through 30347 paid from the primary checking during June 2014 with no checks voided during the month. Direct Deposit vouchers 189-2014 through 204-2014 and 208-2014 through 219-2014 were also issued during the month. Mrs. Prem 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 June 2014 in the amount of \$1,302,358.22 and the following monthly reports distributed to Council for the month ending June 30, 2014: Fund Summary, Expenditure Summary, Cash Summary by Fund and the following Year to Date Reports through June 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-2014-17 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CREATE A THEN AND NOW PURCHASE ORDER(S) TO PAY SOFTWARE SOLUTIONS INC., >COSE / MEDICAL MUTUAL OF OHIO , STREETSBORO SALES & SERVICE, INC, OHIO EDISON COMPANY, SAL CHEMICAL 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 made a motion to adopt Resolution R-2014-17 which was seconded by Mrs. Prem and carried by unanimous vote.

Mr. Garrett read Resolution R-2014-11 **A RESOLUTION MEMORIALIZING AN EXISTING SUBSIDY OF THE VILLAGE OF WINDHAM TO THE PORTAGE COUNTY DISTRICT LIBRARY FOR THE BRANCH LOCATED WITHIN THE VILLAGE OF WINDHAM** as a third reading. Mr. Garrett made a motion to adopt Resolution R-2014-11 which was seconded by Mr. Slusher. Before the vote was taken, Mr. Billman inquired the meaning of memorializing the existing subsidy. Atty. Reitz said this is to recognize that payment and in kind contribution (being the use of the building) before actual payment was being made to the Library had been going on for some time. Mayor Donham said when the Library approaches Council with a formal request for additional money, the payment could be made within the limits of this legislation beginning in 2015. The roll call vote was taken as follows: Mr. Garrett yes, Ms. Blewitt yes, Mrs. Prem yes, Mrs. Barrett yes, Mrs. Rininger no, Mr. Slusher yes so Resolution R-2014-11 passed.

Mr. Garrett read Ordinance O-2014-16 **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-2014-16 which was seconded by Ms. Blewitt and carried by unanimous vote.

Mr. Garrett made a motion to create the position of Part-Time Specialist for Water and Sewer which was seconded by Mrs. Prem. Mr. Garrett then asked about the significance of this item. Mayor Donham explained that there was a need for additional help in the Sewer Department and Larry Shackelford had not moved south and was interested in working again for the Village of Windham. He has in excess of 30 years of experience in this field and this would create a position which didn't previously exist. The vote was taken and passed unanimously.

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Safety, Personnel, Rules (SPR) by Deborah Blewitt

Ms. Blewitt read Resolution R-2014-18 **A RESOLUTION SUBMITTING THE QUESTION OF AN ADDITIONAL TAX LEVY FOR SUPPORT OF A PUBLIC LIBRARY PURSUANT TO SECTION 5705.19(D) OF THE REVISED CODE** and Mr. Garrett made a motion to suspend the rules which was seconded by Mr. Slusher and carried by unanimous vote. Mr. Garrett made a motion to adopt Resolution R-2014-18 which was seconded by Mrs. Rininger and carried by a 6 – 0 vote.

Ms. Blewitt read Ordinance O-2014-17 **AN ORDINANCE AMENDING THE CURRENT PAY ORDINANCE TO ESTABLISH AND REVISE THE SALARIES AND WAGES OF FULL-TIME AND PART-TIME EMPLOYEES WITHIN THE VILLAGE OF WINDHAM, COUNTY OF PORTAGE AND STATE OF OHIO, REPEALING ALL PRIOR INCONSISTENT ORDINANCES AND DECLARING AN EMERGENCY** and Mr. Slusher made a motion to suspend the rules which was seconded by Mr. Garrett and carried by unanimous vote. Mr. Garrett then made a motion to adopt Ordinance O-2014-17 which was seconded by Mrs. Prem and passed by unanimous vote.

Mr. Garrett made a motion to approve the hiring of Larry Shackelford as Part-Time Specialist for Water and Sewer effective July 14, 2014 which was seconded by Mrs. Prem and passed by unanimous vote.

Ms. Blewitt made a motion to approve the transfer of the Liquor License at Windham Tavern from MJE Inc. to OTIS Inc. and advising the Ohio Division of Liquor Control that no hearing is requested. The motion was seconded by Mr. Garrett. There was some question as to the motive behind this. Chief Breiding said he had learned that Dee's Diner was intending to move their restaurant to the location of Windham Tavern and would be able to serve alcohol and would be similar to the Brick Tavern in Garrettsville. The vote was taken which passed unanimously.

Mayor Donham called on Chief Breiding to speak about a proposal to lease three new police cruisers completely equipped. This would require four annual payments of \$29,692.14 and the fifth year a payment of \$1.00 which would result in the Village owning the three cruisers. The Village would keep the best car we have remaining and sell the others on GovDeals. Atty. Reitz asked how many miles are being put on each car per week and Chief Breiding said we put about 400 miles per week per car on the cruisers. Mr. Slusher asked for specifics of Chief Breiding on the expenditures on each vehicle for maintenance and repair for next SPR Committee meeting. Chief Breiding said it would take four to five weeks once the order is placed to get the cars. Mayor Donham said he didn't want to consider this an emergency expenditure but we should go through the proper process.

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 first reading.

Service Committee by Randall Slusher

Mr. Slusher said he had nothing to report.

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Economic Development by Sheryl Prem

Mrs. Prem said she had nothing at this time.

Parks and Recreation by Randall Slusher

Mr. Slusher read Resolution R-2014-19 **A RESOLUTION SUBMITTING THE QUESTION OF AN ADDITIONAL TAX LEVY FOR PARKS AND RECREATIONAL PURPOSES PURSUANT TO SECTION 5705.19(H) OF THE REVISED CODE**

Mr. Garrett moved to suspend the rules which was seconded by Mrs. Prem and passed by unanimous vote. Mr. Slusher moved to approve Resolution R-2014-19 which was seconded by Mrs. Rininger and carried unanimously. Mr. Slusher then moved to adopt Resolution R-2014-19 which was seconded by Ms. Blewitt and passed by a 6 – 0 vote of Council.

Planning and Zoning by Deborah Blewitt

Ms. Blewitt made a motion to approve Mayor Donham's appointment of Bob Cline to replace Kahterine McIntyre on Planning and Zoning Committee which was seconded by Mrs. Rininger. The roll call vote was taken as follows: Ms. Blewitt no, Mrs. Barrett yes, Mr. Garrett yes, Mrs. Prem yes, Mrs. Rininger yes, Mr. Slusher yes so the motion carried.

Ms. Blewitt said she had a meeting scheduled with Brent Swipas who owns the Windham Pharmacy for the week of August 5, 2014 to tour any properties owned by the Village which may be available for development. Mr. Swipas has investors in the assisted living business and this sounds promising according to Ms. Blewitt.

Solicitor's Report by Thomas Reitz – Mr. Reitz had no report this evening.

Guest Recognition

Mr. Moore asked about a grant for tearing down single family housing. Mayor Donham said we would begin the process in September with the Land Bank. The end of August is the deadline for four units or less. There are four properties identified: one behind the drive through, the property next to Jena Miranda, a property on Green Drive and a burned out property. The Village would have to get ownership of them. The addresses were given to Tom Brett.

Mrs. Prem said Tom Brett would like to have his phone number added to the message on the Village phone message. Mayor Donham said he would get with Fiscal Officer Billman to discuss any other changes which are needed.

Mr. Moore asked if the Parks and Recreation Levy were to pass would some of the money be used for the Community Center. Mayor Donham said yes, about \$5,000 would be used for the Community Center and \$20,000 for the parks and this could change from year to year.

Mr. Moore then questioned Ordinance O-2014-18 as a first reading with no discussion. Mayor Donham said there was some discussion at the Utility Committee meeting. The thought process is for lowering the amount for a middle usage which would most likely hit twice per year during the summer in the range where our average usage is 5,000 gallons and the operation of the plant Minutes of July 29, 2014 Special Council Meeting Regular Meeting held at other than normal date.

is already factored into the bill. If 6,000 gallons cost \$84 then from 6,000 to 12,000 would be at a lesser rate and if family were visiting or washing cars, etc. client wouldn't get hit with an excessive bill. Mrs. Prem asked about adding back in the Senior Citizen discount. Mayor Donham said that could be considered.

Mrs. Bly questioned the tax levies for the parks and library. Mayor Donham said this was actual ballot language and the issues would be considered in November. Copies of the two items of legislation were given to Mrs. Bly.

Mr. Moore questioned what makes up the amount paid to the library and Mrs. Bly asked about any additional monies generated from the levy. Mayor Donham said any overage would go for improvements to the library.

Ms. Blewitt asked about the status of an architect on the new building. Mayor Donham said we are waiting on a proposal from the architect.

Last chance by members of Council to speak upon any subject at this meeting.

There were no additional issues to be discussed and the calendar stands as presented.

Mr. Slusher made a motion for adjournment which was seconded by Mrs. Rininger and with all voting in the affirmative the meeting was adjourned at 8:02 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.

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