

*Village of Windham Ohio*  
**Minutes of Council Meeting**

Held September 26, 2017

At 6:59 p.m. The Honorable Mayor Deborah Blewitt called the meeting to order and led in the pledge of allegiance to the flag of our country.

Roll Call:	Sandy Patti – present	Cheryl Belknap – present
	Scott Garrett – present	Phil Snyder – present
	Cheryl Taylor – present	Stacy Brown – present

Also present were: Thomas Reitz, Ryan Wagner, Eric Breiding, Sheila Moore, Cindy Cale, Tom Brett, Tommy Douglas, and Jim Moore.

Mr. Snyder made a motion to approve the minutes of the August 22, 2017 Regular Council Meeting, which was seconded by Mr. Garrett and carried by a 6 – 0 vote.

Fiscal Officer Taylor gave the Financial Reports as follows: The Income Tax collected year to date August 31, 2017 was \$333,911.18. The expenditures for the month of August 2017 were \$117,056.38 in checks and charges. Check numbers 33342 through 33508 were paid from the primary checking account during August 2017 with no checks voided during the month. Direct Deposit Vouchers 412-2017 through 439-2017 and 444-2017 through 465-2017 were also paid during the month of August 2017. The all funds reconciled balance for August 2017 was \$1,466,187.22.

Village Council President’s report by Scott Garrett – Mr. Garrett had nothing at the time.

Dispatchers Police, Fire and Rescue Reports for August 2017 by Mrs. Taylor – Mrs. Taylor made a motion to accept the Police, Fire and Rescue Reports for August 2017, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Mayor’s Communication by Deborah Blewitt – Mayor Blewitt had nothing at the time.

Prior requests of guests to speak

Sheila Moore thanked Council for the opportunity to speak and said she would try to keep things as brief as possible. Ms. Moore said that none of her comments tonight are intended to offend anyone and her remarks were written in anticipation that she will be a member of Council in January 2018 and at that time she will be accountable for some of things that she is going to mention. Ms. Moore said that to her each person at the Council table has been voted or appointed to their position and deserves respect and the opportunity to participate. Ms. Moore said that each Council person is a resource that brings value and unique experience and expertise from their life and should be utilized. Ms. Moore said that Council, as the legislative body has the authority over every bit of money that comes in, whether it is through taxes, grant money, water and sewer payments, etc. Ms. Moore said Council needs to know about the money that’s coming in and where it’s coming from and is also in control of every penny that goes out. Ms. Moore said Council has that responsibility, not after the fact or when money has already been moved, but beforehand and while it’s being moved. Ms. Moore said she has kind of titled the rest of her speech “How did we get here”. Ms. Moore said by “here” she means the New Administration Building. Ms. Moore said that has taken her to the minutes and motions of Council and its Committee’s. Ms. Moore said she has spoken to some Council Members, some administration, some residents, a couple of lawyers she works with, and other people in government and asked their thoughts on some of the items about unchartered Village’s and their processes. Ms. Moore said one conversation with legal counsel was short but had the most succinct and appropriate comment for her concerns. Ms. Moore said the legal counsel said “a municipality speaks by and through its legislative body”. Ms. Moore said we all know that this Village is represented by a legislative and administrative body and the reason for having ordinances and the ORC, among other things is that they give certain guidelines, so that one, two, or three people don’t run everything and she believes the average person living in the Village can look at minutes and say to themselves that they feel good about knowing what is going on. Ms. Moore said that you have made a huge move to change the landscape, the look, and the business of the Village and as far as she can tell there has been no official motion made, at any point to do that. Ms. Moore said she says that because in February at the Planning and Zoning Committee Meeting, Mayor Blewitt said “looked at the New Administration Building.

Going to flip the entire building, put Police first then Administrative offices. \$30,000 for new Police Station furnace. Meeting with Mike Mikulski to get a price. Security cameras need installed. Then in March during Streets and Sidewalks, Ryan Wagner said "Plumbing is all good for new Administration Building. Mike Mikulski repaired broken water lines. Hopefully new building by July. Then Economic Development in March, Mayor Blewitt said "drawings are done for the new building, need to put ad in paper". Then in March at the Council Meeting there was an ordinance "authorizing the advertisement for bid for light remodel of Village Administration Building", but at this point there has been no discussion at Committee or motions that define what that is. Then in Planning and Zoning, Mayor Blewitt said "the ad for the New Administration Building remodel will start running next week for two weeks, at \$125. The estimated cost of the project is about \$70,000 and that money has already been secured through the loan. Then in Finance in May, Mayor Blewitt said "New Building started, may have to redo loan or modification. In June at Finance, Mayor Blewitt said "has to do modification on New Administration loan from Cortland, have to start paying expenses, also cameras, signs, target move in date July 29<sup>th</sup>". Fiscal Officer Taylor said "switching to Spectrum for phone and internet, savings of \$7200." In June at Streets and Sidewalks, Ryan Wagner said "new Administration Building should be done by June 29<sup>th</sup> at the latest". Fiscal Officer Taylor said "probably just a simple modification of the loan". In July at Street and Sidewalks, Mayor Blewitt said "moving into new Administration July 29<sup>th</sup>, 2017. Security cameras being put up. Fence going up. Landscaping being done. Trees at Walt Turner's need trimmed. July 18<sup>th</sup> at Finance Mr. Garrett asked a question about the budget for the New Administration Building and Mayor Blewitt said "still a little under budget, fence and signs ordered, cameras in, floors done." In August in Streets and Sidewalks, Mayor Blewitt said "signs up, flagpole here Friday, started working on fence, big gravel in back parking lot needs to settle, tomorrow small gravel coming, employees parking in back, in and out signs, handicap signs went up today, cannot block the Police cruisers." Ms. Moore said Resolution R-2017-11 (Mike Mikulski's bid acceptance) in section five it says "it's hereby found and determined that all formal actions of this Council concerning and relating to the passage of the ordinance were accepted in an open meeting of this Council and deliberations of Council and any of its committees" and Ms. Moore said that didn't happen. Mayor Blewitt asked how we came to the point where the project went up for bid and Ms. Moore said "exactly". Mayor Blewitt said that everyone on Council knew we were redoing the building and she said that Council did discuss this, whether it was reflected in minutes or not. Mayor Blewitt said "is there anyone here that didn't talk about it". Ms. Moore said to let her finish and she would tell Council why her statement was pertinent. Mayor Blewitt said she would not remember all the accusations and Ms. Moore said "they are not accusations, they are minutes". Ms. Moore said in the Council Meeting in May the Mayor said "the loan for the New Administration Building in Cortland needs a modification done, the modification ran out in March 2016" and the Fiscal Officer explained that she had been in contact with Karen at the bank. Ms. Moore said also at the May Council Meeting was the resolution to award the bid to Mike Mikulski. Mayor Blewitt said she understands that Ms. Moore found fault with that resolution. Ms. Moore said yes, because Ms. Patti asked during the vote at the Council meeting about the work that Mike Mikulski would be doing and Mr. Reitz explained that the attached signed contract had a complete list of the work that Mr. Mikulski bid on. Ms. Moore wanted to know why Ms. Patti would have to ask that if Council talked about it and put it together. Mayor Blewitt asked Fiscal Officer Taylor to answer that. Ms. Moore said minutes only reflect what they reflect. Mayor Blewitt said she understands that, but she will say, once again that she is not picking Ms. Patti out, but Ms. Patti doesn't remember getting her minutes that are in everyone's packets. Mayor Blewitt said there are some reasons why possibly she had a lot of things going on personally; maybe that's why she doesn't remember it. Ms. Moore said she went through the minutes and all the minutes that say anything about the move, outside of a motion for a resolution for Mike Mikulski to do a light construction for \$70,000, there was nothing talked about where are you putting the bids out to, how much are you going to pay, and it just happened and it went to Council and everyone voted on it, but there was nothing really discussed in Committee, except that you were just going to do it. Ms. Moore said to make simple update comments to Committee is not an official action. Updating is not an official action, they are simply comments. Ms. Moore said there wasn't a committee put together to talk to people about what they need in here. Mayor Blewitt said that absolutely everyone was a part of this. The Police, the girls picked out their own offices, how much space they thought they needed in their offices. Ms. Moore said that is very contrary to what she has heard talking to people. The Mayor said that Ms. Moore should have come to Council, instead of the people she spoke with. Ms. Moore said she did speak with some of Council. Mayor Blewitt said she knew that Ms. Moore went to employees and she knows the conversations. Ms. Moore said Mayor Blewitt does not know the conversations. Mayor Blewitt says she knows what the employees told her. Ms. Moore said if she could finish, she will explain why this is so important. Ms. Moore said you now have a building that you really don't fit into because you didn't discuss it at Buildings and Properties and asked "what do

we want". Ms. Moore said it was all just Debbie and Ryan coming in and saying this is what is going on and we're doing it and it gets done. Ms. Moore said that's not how it works, you have to make motions. Mr. Garrett asked Ms. Moore, what do you mean we don't fit in it. Mayor Blewitt said it's because we have a \$2,000 storage container on the side of the building, which we also knew that we did not have the funding to hire an architect to make an egress point on the second floor. Mayor Blewitt said we are hoping that we'll have Council people that will try to get some funding for that, but right now we don't have those kinds of funds. Mr. Garrett said we're in a building for a fraction of the cost of what normally people pay for a Municipal Building. Mr. Garrett said Mantua's Municipal Building cost them over \$500,000, we paid a fraction of that cost, so now we're not going to get what they got, but I think our space is a pretty nice space. Ms. Moore said ok, well there are differing opinions on that and she said it's nice and it's totally an upgrade, there's no question about that, but when you move into a building and you can't fit everything into it and you have a whole access that you didn't make into the original build out, you now have to pay extra to get up there. Ms. Moore said she has done remodels of buildings and offices, five or six times, and she gets that and she gets the concerns with the second floor and all of those things were never brought to Council, the legislative body. Council was told, this is what's going on, this is what's happening. Mayor Blewitt asked Ms. Moore if she was speaking for all of Council at this point. Ms. Moore said she was pretty much speaking for over there (and pointed to Ms. Patti, Mrs. Taylor, and Ms. Brown). Mr. Garrett said that Council did have conversations about the upstairs, we absolutely did. Mayor Blewitt asked Ms. Brown if she had no knowledge of what was going on with the new building. Ms. Brown said she did. Mayor Blewitt asked Mr. Snyder if he knew. Mr. Snyder said yes, from day one. Mr. Garrett said he was in on meetings about the upstairs, and we said we got it and maybe someday when we have the funding, quite honestly we didn't have the funding to fix it up at this point, maybe down the line we will. Ryan Wagner said the floorplan and the blueprints were presented to Council. Mayor Blewitt agreed and said Council approved it. Ms. Moore said that none of that is in the minutes. Mayor Blewitt asked Ms. Moore what she wanted her to do about that. Ms. Moore said she didn't know, but if the regular citizen can't look at the minutes and see what's going on, plus there are no motions to approve any expenditures, except Mike Mikulski. Mayor Blewitt said we put a bid out there to accept his bid to do this building. Ms. Moore said that you spent \$120,000 some dollars, maybe a little more. Mayor Blewitt said we had \$325,000 from the bank. Ms. Moore said she is talking about from March until now, you've spent, including Mike, at least \$120,000 and outside of Mike there's no motions to spend any money. Mr. Garrett said one of the biggest concerns we had in this Village was we purchased this thing and over a year there was no movement. Mayor Blewitt corrected Mr. Garrett and said it was three years with no movement and Mr. Garrett agreed. Mr. Garrett said now we got movement, we're in and we're up and running, I think we have a lot of issues facing this Village, frankly I don't think this is one of them. Ms. Moore questioned that the Village is operating outside of the ORC and the Windham Village Ordinances. Mayor Blewitt said that she does not think that they did. Ms. Moore said the ORC is for everybody in Ohio. Mr. Garrett said if Ms. Moore could sight the ORC, then Council will look it up. Ms. Moore said she shouldn't have to do that. Mr. Garrett, said yes she should because she is making accusations, what are the ORC numbers so that Council can look them up, please. Ms. Moore said she did not bring the ORC, but it's pretty apparent. Mr. Garrett said then all Ms. Moore is doing is filler busting, reading minutes. Ms. Moore said she is not filler busting. Mr. Garrett said to him, that is what it sounds like, we have a lot of important issues before this Village. Ms. Moore said there are no motions to spend money. Mayor Blewitt said there was a motion originally that we do the project. Ms. Moore said you cannot spend money without Council. Mayor Blewitt told Ms. Moore that Council knew what we needed to get done. Mr. Garrett said we have issues in this Village and this isn't one of them, we're in a building and it is working. Ms. Moore said you have three more months before the end of the year and you've spent \$120,000 some dollars, plus whatever else. Mr. Garrett said that was appropriated. Ms. Moore said it was appropriated, but it wasn't passed by Council and they have no idea. Mayor Blewitt asked Ms. Moore to please tell her which members had no idea. Ms. Moore said if the Mayor would let her finish, then she could make her point and sit down and then you can do whatever you want. Mayor Blewitt said she wants to ask Ms. Moore and she thinks it is her turn to speak now. Ms. Moore said she doesn't think it is, because she is not done. Mayor Blewitt said that actually, Ms. Moore had used her minutes already, but Ms. Moore can continue, she just wanted to ask what Council members were not aware of what was going on. Ms. Patti said three years ago you said this started and she was not aware of everything that was going to be going on from three years ago. Mayor Blewitt asked Ms. Patti, was this building not open every single day the whole entire time the project was going on. The Mayor said that we talked about this project, whether it is reflected in the minutes or not at nauseum and we also knew we couldn't go upstairs. Ms. Patti said she did not know we couldn't go upstairs. Mr. Garrett said that maybe Ms. Patti missed a few meetings, because he was at meetings where that was discussed. Ms. Patti asked if we were building a garage. The

Mayor said we still have to do that, but let's let Ms. Moore continue. Ms. Moore said if she is wrong, she is wrong, but it is her understanding from conversations that not everyone even knows how much money has been spent so far since March. Mayor Blewitt said probably the Fiscal Officer does. Ms. Moore said no because she didn't even get that answer, she said she knows the Fiscal Officer is busy and she tried to get as much from the Fiscal Officer that she could, but she doesn't want to keep bugging her. The Mayor said she knew that because she saw the emails. Ms. Moore said she got what she could get and the numbers she came to, was like \$120,000 and you have three more months and if Council isn't checking what's being spent, it's going to continue like this and you don't have enough. Mayor Blewitt said we had \$325,000 for the loan, the modification was to extend the time, we asked for no more money, that's the modification that Ms. Moore is talking about. Mayor Blewitt said she believes that we still have \$56,000 left to spend and we are looking, putting feelers out, and she believes everyone on Council knows this, do we go with a pole building, can we get a block building, and right now we are trying to find someone who can draw up a plan and we're hearing probably \$30,000, which leaves us \$26,000. Mayor Blewitt said those are the figures she got from the Fiscal Officer and she doesn't know why Ms. Moore can't get those because there has been plenty of conversation and emails back and forth, so the Mayor would have thought that Ms. Moore had those numbers. Ms. Moore said she didn't hear Mayor Blewitt, so Mayor Blewitt said all the emails that you have sent since August 19<sup>th</sup> or 20<sup>th</sup> requesting this information, she would have thought that Ms. Moore would have had it by now. Ms. Moore said she would have thought that also, but that's okay because she is not going to keep disrupting the Fiscal Officer's day. Ms. Moore said she knows there is a time limit on the loan and the Mayor confirmed it was January. Ms. Moore said that if that money has to be spent by then, she would like to see Council involved. Mr. Moore said she wanted Mr. Reitz to know that there are no motions on the agenda to spend money or go out for bids. Ms. Moore said there was an electrician paid for \$7,000 and no bids that she knows of and maybe there was a reason why it didn't need to go out for bid. Mr. Reitz informed Ms. Moore that the bidding threshold is \$50,000 for the Village. Ms. Moore said she wasn't aware of the \$50,000 bidding threshold. Fiscal Officer Taylor asked Ms. Moore if the \$7,000 was on the spreadsheet that she gave her. Ms. Moore said yes it was on the spreadsheet. Fiscal Officer Taylor said she didn't recall \$7,000 on the spreadsheet for an electrician. Ms. Moore said there was something on the spreadsheet for \$7,000 and she thought it was an electrician, but none the less there was an electrician paid and none of that was brought before Council. Ms. Moore said that Council has to be a part of these decisions. Fiscal Officer Taylor asked Ms. Moore if the \$7,000 was for ALCA Associates that was listed on the appropriation payment register. Mayor Blewitt said if it's ALCA Associates, that is payment for the market study and that was not paid out of the loan. Ms. Moore said her concern is that Council is not involved in the decisions and the money that is being spent. Ms. Moore said there is no way she wanted to be yelled at by the president of Council, she didn't anticipate that and she believes that this is as big of problem as anything else that you have when you are spending money and Council is not approving it. Ms. Moore said that is a violation. Ms. Moore said that is all she has. Mr. Garrett said that all he asks is if she has complaints, she should bring in the ORC number so we can check those complaints. Ms. Moore said she could submit that at another time. Mayor Blewitt asked Council if they had a problem, anyone of you she's quoting you on this, and you're not aware of the spending, why would you not go to your Council President versus going to a resident in the community, Ms. Moore doesn't sit on Council right now, she'll sit in January. Ms. Moore said the last thing she wants the Mayor to do is start bullying her Council like the Mayor regularly does. Mayor Blewitt said excuse me, I'm sorry what did you say. Ms. Moore said some Council Members has conversations with her and expressed some concerns, it wasn't anything they felt they wanted to come to Council about. Ms. Moore said she asked them, they answered her, don't beat them up about it (Ms. Moore was speaking to the Mayor). Mayor Blewitt said first of all don't tell her what she going to do. Ms. Moore said oh, that's really not right. Mayor Blewitt said second of all, that's the procedure, if you're a Council person and you're confused by anything or have a complaint, you go to President of Council. Ms. Moore said they are not complaining, she asked them a question and she got an answer. Mayor Blewitt said so Council didn't bring this, Ms. Moore did. Ms. Moore said exactly, and she thought that was clear. Mr. Snyder said for over three years he has been involved with the purchase and renovation of this building and he does not believe that he was ever deprived of information in any way that hindered his knowing what was going on. Mr. Snyder said he was very proud that they were making significant steps to get into this facility and this facility was the biggest bargain we were ever offered in the history of Windham, probably. Mr. Snyder said to buy this facility for what we paid for it and have what we got, we like stole it. Mr. Snyder said he thinks sometimes people might get upset that they aren't part of decisions being made and it might be just because they are inexperienced and they don't know how to ask for or find information that is readily available and consequently this is maybe why they are upset about things that are going on. Mr. Snyder said he knows firsthand because he has seen situations arise, where he thinks that a

person should know something, but obviously they don't and he said he has tried to pass on any information he can to those that are less experienced because he has been involved in local government for most of his life. Mr. Snyder said he does not think that anything has ever been tried to be hidden from anyone. Ms. Moore said you have to have motions, it's part of the process, you have to make motions and approve spending, you can't just do it. Mayor Blewitt said she came to Council and said we want to do a light remodel, that's how it was referred to, basically so we could get out of paying architectural fees and a lot of other things. Mayor Blewitt said everyone knew that Mike Mikulski had built this building, everybody knew we looked to Mike to say "can you move this wall, can we do this, can we do that", not really knowing what we wanted, then we put it out for bid, we accepted his bid. Ryan Wagner said Mike Mikulski was the only bid. Mayor Blewitt said Mike was inside this building telling us what we ought to do, whatever it was. Mayor Blewitt said Eric Breiding was involved, Cindy Cale was involved, Cindy was asked what her office ought to be like, how much room she needed, we changed plans, probably we didn't come to Council when we decided the evidence room we had was far too small and it didn't give the policemen enough room. Mayor Blewitt said Council talked, like I said how many times, about we can't go upstairs, we have to hire an architect for that. Mayor Blewitt asked the Fiscal Officer how much money we had at the beginning of the remodel. Fiscal Officer Taylor said she \$172,235 or something like that. Mayor Blewitt said we couldn't pay an architect, we even went outside and said can we put a stairwell and cut a hole in the wall and put a doorway in, nope it wouldn't be ADA compliant. Mayor Blewitt said if you built something inside the building and you go to the second floor and start storing things, then you have to have an egress in case of fire. Mayor Blewitt said that's the next round of funding somehow. Mayor Blewitt said to say that no one was involved, whether the minutes reflect it or not, how many people were in this building and did the walks, how many times, seeing what was going on and she felt sorry for Mike sometimes. Mayor Blewitt said Mike subcontracted out the work, we didn't. Mr. Garrett said Council was updated on events as they occurred as well, where we were at in the construction, what was going on, if there needed to be any changes. Mayor Blewitt said the remodel was done in the summertime, and she understands that Mrs. Taylor works days and she's not coming down every day to look at the building. Mayor Blewitt said Ms. Belknap, Mr. Garrett, Mr. Snyder, and she thought Ms. Patti was here looking at the progress. Ms. Patti said she never came in the building during the remodel. Mr. Snyder asked Ms. Patti why she never came down to see the progress of the remodel. Ms. Patti said because they were busy and no one told her she needed to come down, although it was part of Planning and Zoning, she was never made aware that she should be there. Mayor Blewitt said it's not a should, but if you have some input or ideas. Ms. Patti said if she is on Planning and Zoning, she feels like she should have been there. Mrs. Taylor said that's where she felt like she was left out, because she didn't think that Council's opinions were asked for. Mayor Blewitt said could you have not said that at the time. Mrs. Taylor said yes, she could have, but she admitted that she really didn't know any better, she thought that what was going on was what was going on and she really didn't have the right or the place. Mayor Blewitt said that Mrs. Taylor is on Council and she has every right. Mrs. Taylor said she thinks all of Council should have been more involved in the remodeling and maybe just put forth some ideas that maybe everybody's ideas maybe would have come up with a little bit different circumstances. Mrs. Taylor said she's not saying that everyone's ideas would have been better, but she said she thinks everyone's ideas have some kind of an input into a conversation. Mrs. Taylor said she just didn't think that was her place, but she knows better now. Ms. Patti said she feels the same way because when she comes to Committee meetings, the Mayor says we're going to do this, we're going to do that and she says she's thinking "I guess I don't have any input in this". Mayor Blewitt said sure you do, you always have an opinion and you are always vocal and then Mayor Blewitt asked Ms. Patti for an example. Ms. Patti well, just like the planning of doing this, I had no input, just like Cheryl, we had no input into this. Mayor Blewitt said correct me if I'm wrong and I'm going to call on these people that are sitting here. Mayor Blewitt asked Cindy Cale if she was consulted in any way on what kind of room she needed for you to be able to maintain your records, how many filing cabinets you needed, any of that stuff. Mrs. Cale said yes and she gave the answers and she got what she got. Ms. Patti said Mrs. Cale is not on any Committee. Mayor Blewitt said but she does work in the building. Mrs. Cale said as an employee of the Village, she did go through at least a half a dozen walk-throughs, but it wasn't until the very end that she found out the server was going to be in her office. Mayor Blewitt said that Cindy Cale had a concern about the heat in her office because of the server, and Mrs. Cale said it is still very warm in there, but it is what it is. Mrs. Cale said as far as her records go, she thought they were going to be able to get more here than what they got, but she said they'll deal with it. Mayor Blewitt said it will be an issue until we go upstairs or get another storage container. Mayor Blewitt said she was told, since all of this gathering of information started, that it was illegal that we have that storage container outside, which she said is not the truth, it is not illegal. Mayor Blewitt said that storage container is probably more secure than the records ever were at the other Fiscal office, because that office had no cameras.

Mayor Blewitt said she didn't know that every single thing that Mike Mikulski said "I don't think that's going to work", we would have been ten years going back to Council every time we needed to go back and say wait a minute, it's going to be better off and we're going to have more room and it's going to work out better switching ends. Mayor Blewitt said if you remember correctly, we were starting out with the Police at this end of the building. Mayor Blewitt said the further the plans got, it didn't make any sense and she knows Council knew that. Mayor Blewitt said if she's guilty of not checking with Council every step of the way, then she's guilty of doing that, but she thought that's why we hired Mike Mikulski to do the job. The Mayor said she consulted everyone who works in this building, the Fiscal Officer picked out her office and Fiscal Officer Taylor confirmed this. Ryan Wagner said all of those decisions were drawn up on the blue prints and floorplans that Council voted on. Ms. Moore said that is not in the minutes anywhere. Mayor Blewitt said Council should be aware of what was spent because they see the financial statements every month and sign off on them and if Council doesn't understand the reports, then they need to learn how to read them. Ms. Patti said her issue is not the employees choosing their own offices, she said her concern is when there is something that demands her attention as far as Service Committee, because she is the chair of that committee, she needs to know about it and so she is informed, because Ms. Patti even talked to Ryan Wagner about this. Mayor Blewitt said Ms. Patti should know at every meeting what we have going on in Service Committee, and she said that when Ryan Wagner came to her with that thought, the Mayor said that's a great idea, Ms. Patti needs to be involved in everything. The Mayor said she would love for everyone to be involved in everything, but that's not how it works out, some people have jobs and can't be here every day. Ms. Patti said everyone has phones and if there's an issue that she needs to address or things that need to be brought up at the Council meeting, then she needs to be told so she can research it and address it at the Council meeting and that's why she went to Ryan Wagner because he was involved in these discussions and Mr. Wagner needs to let her know of these issues. Mayor Blewitt said she has given Ms. Belknap the advice, that if she has questions to please go to Mr. Garrett because he has been on Council for 20 years, Mr. Garrett knows what is going on and he will teach you. Ms. Belknap confirmed this. Mayor Blewitt said she doesn't think that she has spent a penny that shouldn't have been spent. Mayor Blewitt said the new building was a rehab, Mike Mikulski sub-contracted everything; the flooring guys, the electrician. Mr. Snyder confirmed that that is what a general contractor does. Ms. Moore said that is only \$70,000 of it and there is twice as much spent. Mr. Reitz said he has a couple of comments that might assist Council. Mr. Reitz said first let's talk about minutes, he said there is a wide range in the acceptable level of minutes that a municipal body must take to record their meetings, there's a verbatim transcript on one end and that is the best way to find out every single thing that happens, but it is also very time consuming, and on the other end of that same continuum are summary minutes, which are just that, a summary which does not include every single thing that was said at the meeting. Mr. Reitz said he has worked for the Village for 8 or 9 years and when he first started the Village used something much closer to the verbatim transcript. Mr. Reitz said that the former Fiscal Officer, Lloyd Billman, would spend days of his month writing minutes, until he came to Council and asked to do summary minutes and Council agreed to the summary minutes. Mr. Reitz said now you have a member of the community stating that she is not able to understand the course of things that happened through the summary minutes, so Council may elect to revisit that issue. Fiscal Officer Taylor said the minutes have already been revisited since she has started working here. The Mayor also confirmed that Council has agreed to summary minutes, since Fiscal Officer Taylor has been working for the Village. Mr. Reitz said the standard is, a person who was not at the meeting ought to be able to tell the significant events, not every event, that took place and if Council does not think the minutes are doing that, then they should take some steps to adjust that. Mr. Reitz said that were some concerns raised about the procedure to have the remodeling done for the new building, and he watched the procedure carefully. Mr. Reitz said that there are two items of legislation that are essential for the Village to accomplish the competitive bidding, and by the way, the threshold where competitive bidding is required for a municipality is \$50,000, that doesn't mean you shouldn't take steps to monitor contracts lower than that, but you don't have to competitively bid them. Mr. Reitz said that we had the specifications drawn up, specifications by their very nature are aspirational, they aren't exact to every minutia, unless you hire an architect or engineer to draw and we don't have the money to do that. Mr. Reitz said we used a technique which is generally accepted, which the Village has used in the past, you went to somebody experienced and said "give me what you think ought to happen, give me your specifications and Mike Mikulski did that. Mr. Reitz said what Mike Mikulski did was in general accepted, but it wasn't accepted with, hey great this is it, here we go. Mr. Reitz said that he tinkered with it, Ryan Wagner tinkered with it, Eric Breiding adjusted them, so you had a set of specifications that were competitively bid. Mr. Reitz said that Ms. Moore referenced this, there are two items of legislation that are essential, one is the authority to bid, which you did in an ordinance and the second one is after the bidding process has been accomplished, you pass a resolution approving

the contract. Mr. Reitz said he's not saying that everything from beginning to end absolutely went exactly right, because he does not know that, but Mr. Reitz said that on the big ticket item, the competitive bidding, it was done correctly. Mr. Reitz said next year or the year after, during your next regular audit, when they look at this and they will, he doesn't have any apprehension that it's not going to be approved without any difficulty, so he wanted to assure everyone that that part was done correctly. Mr. Reitz said there were some statements made that \$120,000 was spent and the contract you awarded was only \$70,000, that is to him a more significant issue and he doesn't know what the difference is there. Mr. Reitz said if Council doesn't understand what Ms. Moore was telling you about that, it's probably a good idea to ask her to supply it in a little more detail, so you can follow up on it and find what happened. Mr. Reitz said that is important, Council is stewards of the Village's money and now it's not too late, you can find out and you should ask and satisfy yourself and if you don't understand the question or the answer ask it a different way again. Mayor Blewitt said she was confused about what money Ms. Moore was talking about and Mr. Reitz said but that doesn't mean it's not a legitimate question that should be investigated. Mr. Reitz said there was discussion about when the remodel was taking place there was some adjustments and that is a very common construction practice, and he doesn't know what else to say about that except he wasn't surprised to hear that, it happens all the time. Mayor Blewitt said as far as bidding, there were no bids or whatever, we actually had quotes come in for cameras. Mr. Reitz said there were three people who pulled the plans for the remodel and one person who bid it. Mayor Blewitt said she was talking about the other work and asked Chief Breiding how many camera people gave quotes. Chief Breiding said two companies gave camera quotes, one came in at over \$15,000 and the other one came in at \$6,000 or \$7,000 and we obviously went with the \$6,000 or \$7,000 quote. The Mayor said we ended up having to spend more money on the cameras because the old cameras at the old building didn't work. Chief Breiding said we tried to port over as much of the old cameras as we could. Mayor Blewitt said we had multiple quotes on signs, and we couldn't move without signs, and maybe that wasn't in the original \$70,000 bid but we all knew we needed signs. Mayor Blewitt said we knew we had to spend money on signs, that maybe was not included on the inside remodel. Mayor Blewitt said we knew we had to put gravel down in the driveway, we knew we had to put a fence up because of the neighbors, we knew those things. Mayor Blewitt said in her mind this is how it went down, we had X amount of dollars still available in the loan, we borrowed \$325,000 and we had it paid down to \$82,000. Fiscal Officer Taylor said she thought it was \$172,235, was the remaining balance after we purchased the building and paid a lawyer fee, which she wasn't aware of because the purchase of the building happened before she started working for the Village and she asked Mr. Reitz if he recalled that. Mr. Reitz said the bank was asking for an attorney to render a tax opinion that the bank lending this money was going to be income tax free to the bank and Mr. Reitz said he declined to offer any legal advice to the bank because he represents the Village. Fiscal Officer Taylor explained to Ms. Moore and the Council that that is the reason she made the spreadsheet, which she had provided to Ms. Moore, because the bank wanted an estimated schedule of draws. Fiscal Officer Taylor explained that with the exception of the bid for the light remodel, she didn't know when we would be making draws and for what amount, so in the beginning the amounts and dates of the draws were just guesses, and each time we got quotes in and every time the schedule of draws was amended, the bank received an amended copy. Mayor Blewitt said we have not paid for anything out of that loan that did not have to do with the new building or the move. Ms. Moore said she wanted to ask Mr. Reitz a question that went back to the ORC and Council approving expenditures, so if you want to put a fence up, doesn't Council have to have a motion to spend that money. Mr. Reitz said, not in every instance, the Village Administrator has statutory authority to spend up to \$15,000 without Council approving it first (he said he believes that is the figure, he was going from memory). Mr. Reitz said Council passed Resolution R-2008-70, where Council announced this policy which says, any department head, which would include the Mayor, has the authority to purchase goods and enter into contracts that do not exceed \$3,000, as the Council determines that these are routine daily decisions which need to be made to continue day to day operations, while purchases above \$3,000 must be approved by the Council President or a member of the Council Finance Committee and then brought before the Council for their express approval. Mr. Reitz said that is the policy this Council has established, so if there are purchases that are above \$3,000, then the point is well taken. Cindy Cale asked if the Village Administrator's \$15,000 was different from this \$3,000 and Mr. Reitz said yes. Mr. Reitz said he couldn't cite the verse from the ORC, but he could get it to Council. Mr. Garrett said he thought the amount was \$10,000. Mr. Reitz said they change it periodically, and the monetary levels are different for a statutory village, like Windham, for a school district, and for a charter municipality and that's why he has to look them up all the time. Ms. Brown said she finds all of this a little disturbing and asked if the issue was that people here feel that they were not asked about every single purchase and was that the complaint, because she was kind of confused. Ms. Patti said she is not concerned about the purchases, she said her concern is when it has something to do with her committee. Mayor

Blewitt told Ms. Patti, please don't take this the wrong way, you knew we were about to remodel a building, you knew that someone put a drawing together, you were well aware of the fact that we were remodeling this building, you didn't need an invitation, so the Mayor said she doesn't understand the complaint. Ms. Patti said she knew they were remodeling, she said she is just learning and that should have been part of the planning committee. Mayor Blewitt said it was. Mr. Snyder asked Ms. Patti what committee she was talking about. Ms. Patti said Planning and Zoning. Ms. Patti said it's like you said these plans were drawn up three years ago. Mayor Blewitt said no, the building was purchased three years ago and that was the biggest complaint in the community, what are we doing with that building. Ms. Patti said was it our building. Mayor Blewitt said yes. Mr. Garrett said we have owned the building for three years. Mayor Blewitt said she thought they bought it before she was ever on Council and Fiscal Officer Taylor confirmed that the Village bought it in 2013 and the Mayor said she was wrong, she had been on Council for a year. Mr. Garrett said we waiting on an architect and a rendering and there was one set back after another, and then we weren't aware that we had to start drawing on the remainder of the loan by a certain time, so we got things moving. Mr. Garrett said in hind sight maybe things could have been done better. Mayor Blewitt agreed. Mayor Blewitt asked Ms. Moore, she didn't understand why we couldn't have had this discussion just asking, like did you do this or do that, why would it have to be brought to the public forum, and you had to be put on the agenda. Mayor Blewitt said she had always been approachable and she thinks she's pretty transparent, come ask me. Ms. Moore said no because the committees are sometimes unorganized and loose track and she really wanted Mr. Reitz here, to hear her concern and have his input. Ms. Moore said if she's wrong, she's wrong, if she's half right, she's half right, whatever. Ms. Moore said she had a lot of conservations, some people didn't her up as much tonight, but that's okay, she knows what she heard, she knows where she came from with her thoughts and everything, but I think this discussion is good, regardless. Ms. Moore said everyone, hopefully will ask more questions, each topic is a learning experience and we can only be better for it. Mayor Blewitt said we have new people on Council, and could Ms. Moore afford Mayor Blewitt the same courtesy as new Council members, this is the first year of her being mayor and there were a lot of things dropped in her lap. Ms. Moore said if she would have been allowed to go through that, she would have mentioned that, but she gave up. Mayor Blewitt said that's okay and Ms. Moore said exactly. Mayor Blewitt said you can bet that she is feeling attacked at this point and because she figured that Ms. Moore could come ask her anything. Ms. Moore said she doesn't feel like she can. Mayor Blewitt said Ms. Moore has asked her a million things. Ms. Moore said she didn't feel like that was the right way to do it, this was what she chose and she had her reasons. Mayor Blewitt said that's absolutely fine. Mayor Blewitt said she wanted to let everyone know tonight, we have to do the garage, so everyone is aware of that. Mayor Blewitt said we have to move on that quickly, because we have to lay concrete before the ground freezes, so we are going to have to move on that, be aware of the fact that if you want the Mayor to come to Council with, how big is the garage door and is there a man door, then we're going to be a long time. Ms. Patti said that's kind of silly, we're not asking for that. Mayor Blewitt said what are you asking for then. Ms. Patti said if you're telling me that that's included in all of this cost, that's one thing, but she is not asking for someone to tell her what size door, what size of window you should do, but when you have a general meeting for the building or for the garage, then she thinks her committee should be asked to be there. Mr. Reitz asked Ms. Patti if she was talking about Planning and Zoning. Ms. Patti said yes. Mayor Blewitt said she thought it should be Buildings and Properties and Mr. Snyder said yes it should be Buildings and Properties, not Planning and Zoning. Mayor Blewitt asked Ms. Patti if she was on Building and Properties and Ms. Patti said yes. Ms. Blewitt told Ms. Patti, then that's your notice, we're getting ready. Ms. Patti said she thinks that when the meeting for the plans for the garage happens, the Buildings and Properties committee should be there so they can have their input. Mayor Blewitt said that's fine, we know what kind of money we have left, we're saying \$56,000, so that's a different amount than what Ms. Moore is coming up with. Fiscal Officer Taylor confirmed that it was 56 something because she just got the balance from the bank three days ago. Mayor Blewitt said we're asking if we can build the garage for \$30,000. Mayor Blewitt said her preference would be to build a block structure, just like the building. Mayor Blewitt said Mike Mikulski asked if we were going to do a garage and he's selling us on block in going to stand up 100 years, a pole building won't, so if we can do it for the same price, why wouldn't we. Mayor Blewitt said that will be a decision that somebody else is going to make. Ryan Wagner said he mentioned that earlier this week, but there's so much going on with the road, with the upgrades to the Water Plant, it's been really hectic. Ryan Wagner said with the guidance of Mr. Reitz (and he hasn't brought it to him yet), we have \$56,000, but he's trying to get all the information together to present it to Mr. Reitz and say this is what we want to do. Ryan Wagner said we have \$56,000, we're pretty sure we can put the garage up for \$30,000, but he needs to find out legally, what he needs an architect for, if we can design the garage and put it up, that will save us money for bidding, for an architect and give the police what they need and get it up in a time frame where we don't lose money on a zero

percent interest loan and everyone is happy. Ryan Wagner said he would like to put the garage up without bidding it and if it's under \$50,000, he can do that. Mr. Garrett asked where the garage is going to be built. Ryan Wagner said that's something that Council needs to discuss as soon as possible and he doesn't have a preference. Mr. Garrett asked Chief Breiding what his original input was. Chief Breiding said originally we were thinking up front by the police station, but that means cutting a hole in the block of the building for a door, but when they put the parking lot out back we discussed putting the garage out back, mostly because of the look, obviously you're going to build a new building and it's not going to match this one exactly. Mayor Blewitt said there was also a concern of cars being in and out and blocking the garage. Chief Breiding said there is already a concern with cars, and anyone that has paid attention during the day, that front parking lot is a nightmare, there's cars parked seven different directions. Mayor Blewitt said if someone parks at an angle, like she does, then cars will follow suit. Chief Breiding said some people do follow suit, however some people don't and that's why they put up the "Police Parking Only" signs. Chief Breiding said he really doesn't care if the garage is built in the front or the back because there will always be a car up front for whoever is on duty. Chief Breiding said he told the Mayor that he is also fine with using the old garage, his main concern is protecting the vehicles. Mayor Blewitt said at this point, make sure for committee that you make a decision about where to put it and what you're spending. Mr. Garrett said that would be Buildings & Properties Committee. Cindy Cale asked if it's built in the back, how will you get to it. Chief Breiding said using the same road the employees use when they park back there. Chief Breiding said the garage is not where the police work out of, it's used to store the vehicles and we may store other records in there. Mr. Garrett said he owes Ms. Moore an apology, he sometimes get heated up. Mr. Garrett said he does appreciate Ms. Moore's talent and he does think that Ms. Moore is an asset and he has told her this before. Mr. Garrett said he is looking forward to Ms. Moore getting on Council because in an area like Economic Development, with her background, to him that's one of the big issues facing this Village and that's what he kind of meant, he thinks we have some major issues that we have to figure out in the next six or seven years or we're in dire trouble. Mr. Garrett said that's where he was going with that earlier, not to say that there weren't things that could have been handled better with the remodel, but he's looking at, if we don't get new development in this Village, he'll be surprised if we're a Village in seven or eight years, and to him that is where we need to focus our energy and he thinks that Ms. Moore has a lot of background in that area, real estate and things of that nature that can really help us and he is looking forward to Ms. Moore's input because he knows Ms. Moore will work hard and do the research that's needed to move us along in that area. Mr. Garrett said he apologizes to Ms. Moore, because he can come across harsh at times. Chief Breiding said he wants Council to understand that in order to go upstairs, it's going to be a lot, because it's totally unfinished, no wiring, no drywall, plywood floors, it's a totally raw structure, so it goes beyond just the expense of how we can access it. Mayor Blewitt said it's a doable thing if we can find the funding, possibly a Community Block Grant.

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officer's expenditures for the month of August 2017 as reported. Mr. Snyder seconded this motion and it carried by a 6 – 0 vote.

Mr. Garrett made a motion to approve the all funds reconciled bank balance for August 2017 in the amount of \$1,466,187.22 as reported. Mr. Snyder seconded the motion which carried by a 6 – 0 vote.

Mr. Garrett read Ordinance O-2017-20 **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. Snyder and carried by a 6 – 0 vote. Mr. Garrett made a motion to adopt Ordinance O-2017-20, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Safety, Personnel, Rules (SPR) by Phil Snyder

Mr. Snyder read Ordinance O-2017-19 **AN ORDINANCE AMENDING SECTION 521.11 STORAGE OF JUNK AND JUNK CARS.** This was a second read.

Utilities by Cheryl Taylor – Mrs. Taylor had nothing at the time.

Service Committee by Sandy Patti – Ms. Patti had nothing at the time.

Economic Development by Phil Snyder – Mr. Snyder had nothing at the time.

Parks and Recreation by Mr. Snyder

Mr. Snyder made a motion to move the Octoberfest to North Main Street by the gazebo. This motion was seconded by Mr. Garrett and carried by a 6 – 0 vote.

Planning and Zoning by Deborah Blewitt – Mayor Blewitt had nothing at the time.

Solicitor's Report by Tom Reitz – Mr. Reitz said there are a number of items that are pending or imminent litigation that he wanted to bring Council up to date on, so he is requesting an executive session.

Mr. Snyder made a motion to enter into executive session to discuss pending and imminent litigation. This motion was seconded by Mrs. Taylor and carried by a 6 – 0 vote at 8:05 p.m.

Mr. Snyder made a motion to return from executive session. This motion was seconded by Ms. Brown and carried by a 6 – 0 vote at 8:26 p.m.

Guest Recognition – Mayor Blewitt said the neighbor of Elmer Owens was sitting in the audience, but he left and Ryan Wagner said he would be back next month. Chief Breiding said now that he knows who that is, he will go talk to him tomorrow and let him know the action that has been taken so far. Chief Breiding told Council that there is a trial date with Mr. Owens, November 2, 2017. Ms. Belknap said that the neighbor is having health issues because Mr. Owens is burning stuff and there's no burning in the Village. Mayor Blewitt said if Mr. Owens is burning to call the police.

Last Chance of Council to Speak on Any Subject – Mr. Snyder said he needed to comment on the guest speaker who seems to have an issue with the performance of Council or lack of performance. Mr. Snyder said he thinks that Council is doing a good job and we have a lot of new members that have a lot to learn but they are learning it as they go along. Mr. Snyder said that sometimes people don't know what to ask for or how to find information that they might need to do their job, so don't hesitate to ask Mr. Snyder, Mr. Garrett, or Ms. Brown because they have experience. Mayor Blewitt said that her and Mr. Garrett talk every Sunday for a weekly update and she encouraged all other Council Members to do that. Mr. Snyder said in general the Council has done a nice job and he's sure they will continue to do a good job. Mr. Snyder said a lot of things that Ms. Moore said tonight, he didn't particularly like, but he still thinks that she will be an extremely good member of Council. Mr. Snyder said Ms. Moore is intelligent, she has a vast amount of experience that the Village could use. Mayor Blewitt said if she made mistakes along the way on this, then she did, it's the first time she's been Mayor and she was still trying to get a grasp on a council person and she understands it takes time. Mayor Blewitt said if you have questions, come to her and ask them, she pretty transparent when it comes to most things. Mrs. Taylor said she is going to ask a lot more questions. Mayor Blewitt said that's good and she would like to see her do that. Mayor Blewitt said she thinks all Council members need to learn how to read the funding because it's not regular accounting. Mayor Blewitt said we knew that there were going to be other costs besides the \$70,000 to remodel the inside of the building, we knew had so much left in that loan, we needed the driveway, we needed the signs, and we knew we were going to try to get the best deal on everything and she is hoping that we don't use the entire bank loan. Mayor Blewitt said no one intentionally went behind anyone's back, the employees were part of the process because they work in this building and they said what they needed. Mayor Blewitt said she doesn't think that she should have to come get every little, single thing approved and delay a project. Mayor Blewitt said she understands Ms. Moore's concern that it would appear the Mayor, Ryan Wagner, or Chief Breiding spent money they shouldn't have been spending, but that is not the truth. Mr. Garrett said we borrowed this money in 2013 and the price of building materials goes up every year, the fact that hopefully we're going to come in on budget is pretty good with no additional funding. Chief Breiding thanked Council for the new building, it's so much better than the old building. Chief Breiding asked all Council members to please tell neighbors and other citizens to please call police dispatch if there is a complaint, such as burning because he can't solve the problem two days after. Fiscal Officer Taylor said she wanted to comment on some of the comments that were made earlier about the minutes, she said if there was a motion made in committee it would most definitely be reflected in the minutes and then that motion would have been carried over to the agenda for a Council meeting. Fiscal Officer Taylor said that maybe some of the procedure was broke down in the little expenditures for the loan, but for the actual remodel, when Council approved that, you had a set of plans and what was going to be fixed and the layout, so for anyone to say they weren't aware of what was going to happen inside this building with the remodel and the offices is totally false because that was the

attachment to the resolution when Council approved that. Mayor Blewitt said that if you want to request copies of public records that's fine, but if you want to know why we did something a certain way, that needs to be addressed with Council and not our employees. Mr. Reitz said there is section in our code (121.01g) that may help for a more efficient meeting. Mr. Reitz said it talks about non-members speaking at a Council meeting and he encouraged all Council members to look at this section of our code.

Council looked at the calendar for October. The Council Meeting will be Tuesday, October 24th, 2017 at 7:00 p.m. and the committee meetings will be the first Tuesday, October 3rd, 2017 and the second Tuesday, October 10th, 2017, both at 6:00 p.m.

Mr. Snyder made a motion to adjourn the meeting which was seconded by Ms. Patti and by unanimous vote the meeting was adjourned at 8:44 p.m.

Respectfully submitted,

Attest,

Cheree M. Taylor, Clerk of Council

Deborah Blewitt, Mayor

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

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