

Minutes of Regular Council Meeting

Held August 27, 2019

At 7:01 p.m. the Honorable Mayor Scott Garrett called the meeting to order and led in the pledge of allegiance to the flag of our country.

Roll Call: Cheryl Belknap – present Phil Snyder – present
Terrie Altieri – present Cindy Cale – present
Cheryl Taylor – present Stacy Brown – present

Also present were: Tom Reitz, Tom Brett, Debbie Blewitt, Taylor Baker, Denise Bly, Patty Moore, Kay Friend, Sandy Patti, Audrey Roth, Marsha Roth, Jim Moore, Jennifer Berdant, and Eric Breiding.

Mr. Snyder made a motion to approve the minutes of the July 30, 2019 Special Council Meeting, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mrs. Altieri made a motion to approve the minutes of the August 1, 2019 Special Council Meeting, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Fiscal Officer Taylor gave the Financial Reports as follows: The Income Tax collected year to date July 31, 2019 was \$333,255.58. The expenditures for the month of July 2019 were \$162,498.51 in checks and charges. Check numbers 35314 through 35388 were paid from the primary checking account during July 2019 with no checks voided during the month. Direct Deposit Vouchers 355-2019 through 382-2019 and 386-2019 through 404-2019 were also paid during the month of July 2019. The all funds reconciled balance for July 2019 was \$1,645,169.08.

Village Council President's report by Mr. Snyder – Mr. Snyder had nothing at the time.

Dispatchers Police, Fire and Rescue Reports for July 2019 by Mrs. Taylor – Mrs. Taylor made a motion to accept the Police, Fire and Rescue Reports for July 2019, which was seconded by Mrs. Cale and carried by a 6 – 0 vote.

Mayor's Communication by Scott Garrett – Mr. Garrett said there have been a few complaints about paint on resident's vehicles from the painting of the Water Tower. Mr. Garrett said he went and talked to the company doing the painting and they are using a special paint that once it hits the air, it dries and falls to the ground as a dust. Mr. Garrett spoke with the resident's that complained and they are going to run their vehicles through the car wash and they will let Mr. Garrett know if the paint dust does not come off.

Prior requests of guests to speak – None

Finance by Terrie Altieri

Mrs. Altieri made a motion to approve the Fiscal Officer's expenditures for the month of July 2019 as reported. Mr. Snyder seconded this motion and it carried by a 6 – 0 vote.

Mrs. Altieri made a motion to approve the all funds reconciled bank balance for July 2019 in the amount of \$1,645,169.08 as reported. Mrs. Taylor seconded the motion which carried by a 6 – 0 vote.

Mrs. Altieri read Ordinance O-2019-10 **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.** This was a third read. Mrs. Altieri made a motion to adopt Ordinance O-2019-10, 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-2019-11 **AN ORDINANCE AMENDING SECTION 155.02 VACATIONS**. This was a third read. Mr. Snyder made a motion to adopt Ordinance O-2019-11, which was seconded by Mrs. Altieri and carried by a 5 – 1 vote, with Mrs. Cale being the dissenting vote.

Mr. Snyder made a motion to hire Allen Blake Sr. as the full-time Water, Sewer, & Street Laborer at the rate of \$14.50 effective immediately. This motion was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mr. Snyder read Resolution R-2019-17 **A RESOLUTION APPROVING A SCHOOL RESOURCE OFFICER BY AGREEMENT BETWEEN THE WINDHAM EXEMPTED VILLAGE SCHOOL DISTRICT AND THE VILLAGE OF WINDHAM AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Mrs. Brown and carried by a 6 – 0 vote. Mr. Snyder made a motion to adopt Resolution R-2019-17, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Utilities by Cheryl Taylor

Mrs. Taylor read Resolution R-2019-13 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM UNDER SECTION 715.261 OF THE OHIO REVISED CODE TO CERTIFY THE FOLLOWING SUMS TO THE PORTAGE COUNTY AUDITOR TO BE ASSESSED AND COLLECTED AS DELINQUENT WATER/SEWER RENTS TOTALING \$2414.48 AS SET FORTH HEREIN AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Mrs. Brown and carried by a 6 – 0 vote. Mrs. Taylor made a motion to adopt Resolution R-2019-13, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Service Committee by Stacy Brown

Ms. Brown read Resolution R-2019-14 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM UNDER SECTION 715.261 OF THE OHIO REVISED CODE TO CERTIFY THE FOLLOWING SUMS TO THE PORTAGE COUNTY AUDITOR TO BE ASSESSED AND COLLECTED AS TAXES FOR THE MOWING OF LOTS CONTRACTED BY THE VILLAGE OF WINDHAM TOTALING \$3400.00 AS SET FORTH HEREIN AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Mrs. Taylor and carried by a 6 – 0 vote. Ms. Brown made a motion to adopt Resolution R-2019-14, which was seconded by Mrs. Cale and carried by a 6 – 0 vote.

Ms. Brown read Resolution R-2019-16 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER UNDER SECTION 715.261 OF THE OHIO REVISED CODE TO CERTIFY THE FOLLOWING SUMS TO THE PORTAGE COUNTY AUDITOR TO BE ASSESSED AND COLLECTED AS DELINQUENT HOUSING LICENSE FEES TOTALING \$6330.00 AS SET FORTH HEREIN AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote. Ms. Brown made a motion to adopt Resolution R-2019-16, which was seconded by Mrs. Cale. Mr. Reitz explained that he had to change the legislation and he included in the “whereas” provisions an acknowledgement by the Village Council that notices were sent to these property owners at least 30 days in advance of tonight and that the fees are at least 60 days overdue and Mr. Reitz asked Tom Brett if both of these things were accomplished and Tom Brett confirmed that they were. Mr. Reitz said with Tom Brett’s confirmation the Village Council has complied with the Ohio Revised Code and Windham’s Codified Ordinances. This motion passed by a 6 – 0 vote.

Economic Development by Cindy Cale – Mrs. Cale had nothing at the time.

Parks and Recreation by Cheryl Belknap – Ms. Belknap had nothing at the time.

Planning Commission by Scott Garrett

Mr. Garrett read Ordinance O-2019-16 **AN ORDINANCE AMENDING THE WINDHAM VILLAGE ZONING MAP BY REPEALING THE EXISTING MAP AND AUTHORIZING AND APPROVING A NEW MAP ESTABLISHING ADDITIONAL AREA ZONED R-3 AND DECLARING AN EMERGENCY**. This was a second read.

Solicitor's Report by Tom Reitz

Mr. Reitz said the enforcement activities at 9116 North Main Street are actually showing some progress. Mr. Reitz said Elmer Owens transferred the property to William Kot within the last couple of weeks. Mr. Reitz said Mr. Kot is under the same the same restrictions in the enforcement judgement entry that Mr. Owens was under and after driving by the property this evening there is work being done and progress being made. Mr. Reitz said that sometime in October is when full compliance is supposed to be obtained and he will follow up on that when it becomes that date. Mr. Reitz said that a notice to remove the junk cars at Mr. Owens property on Horn Road has been served under the Village Ordinances, 30 days after that notice has been served if the problem hasn't been remedied, then misdemeanor charges will be filed in the Municipal Court and it is the Police Department's intention to do that. Mr. Reitz said at the last Council meeting Council considered changes to the quarterly collection of Income Tax. Mr. Reitz said he hasn't received any further direction on that, and that is why there is no legislation for that. Fiscal Officer Taylor said she was instructed by RITA that Council did not need legislation in order to make these changes because it was part of House Bill 5 that was passed at the State level. Fiscal Officer Taylor said she would give Mr. Reitz the contact information for the person at RITA so that he could discuss this with them. Mr. Reitz said if Council does not want to enforce this, then he recommends that they change the Ordinance.

Guest Recognition – Bill Albright asked if it is possible to get dumpsters for residents to dispose of large items such as mattresses, even if you charge \$20 a year from each resident because sometimes the garbage companies won't take these large items. Mr. Garrett said this is something we can definitely discuss in Committee.

Last Chance of Council to Speak on Any Subject – Jim Moore asked if anything was sent out to the landlords for 2019 Housing Rental License Fees. Jim Moore asked when 2019 Housing Rental License Fees are due and Tom Brett said July 31, 2019. Jim Moore asked what is defined as the 2019 Calendar year and Tom Brett said January 1st to December 31st. Jim Moore asked about the March 31st date that is in the Ordinance and Tom Brett said that is effective 2020. Tom Brett said a notice will be sent out to the landlords prior to the first of the year, probably in December 2019. Sandy Patti asked if the speed cameras could be moved by her house because trucks fly by her house. Chief Breiding said it has to be moved by the company that owns it, and they need either 60 or 90 days' notice to do this. Chief Breiding said we're not going to move it right now because we don't know where the legal challenges of these speed cameras are going to end up. Sandy Patti asked when the work on Bauer is going to begin. Debbie Blewitt said they had the pre-construction meeting and the target date is September 1, 2019. Debbie Blewitt said the flow of traffic signs have been put up, residents have received letters about the parking, and the company doing the work is out of Warren, Ohio. Sandy Patti asked if residents have to park on school property, what the liability will be if there is damage to their vehicles. Debbie Blewitt said the company doing the construction said they think that everyone will actually be able to park in their own driveways. Cindy Cale asked when the paving of 303 was going to begin because she heard that it was moved to 2020. Debbie Blewitt said she has not heard anything. Sandy Patti asked how long the Bauer Avenue project will take. Debbie Blewitt said it should be complete in 30 days; however they are waiting on Ohio Edison to move 3 electrical poles.

Council looked at the calendar for September. The Committee meetings (Parks & Recreation and Committee of the Whole) will be Tuesday, September 10, 2019 at 6:00 p.m. The Council Meeting will be Tuesday, September 24, 2019 at 7:00 p.m. There will be a Public Hearing and Special Council Meeting Tuesday, September 3, 2019 beginning at 6:00 p.m.

Mr. Snyder made a motion to adjourn the meeting which was seconded by Mrs. Taylor and by unanimous vote the meeting was adjourned at 7:31 p.m.

Respectfully submitted,



Cheree M. Taylor, Clerk of Council

Attest,



Scott Garrett, 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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