

Village of Windham Ohio
Minutes of Council Meeting

Held April 23, 2018

At 7:02 p.m. the Honorable Mayor Deborah Blewitt called the meeting and led in the pledge of allegiance to the flag of our country.

Roll Call:	Sandy Patti – present	Cheryl Belknap – present
	Scott Garrett – present	Sheila Moore – present
	Cheryl Taylor – present	Stacy Brown – absent

Also present were: Thomas Reitz, Tom Brett, Eric Breiding, Jim Moore, Ted DeSalvo, and Colleen DeSalvo.

Ms. Moore made a motion to amend the minutes under the Utilities section of the minutes. Ms. Moore wants to add the word “not”. Ms. Moore said the sentence should read “Ms. Moore said she had some other ideas on garbage hauling and curbside recycling that Council had not even talked about”. Ms. Belknap seconded this motion and it carried by a 5 – 0 vote.

Mr. Garrett made a motion to approve the minutes, as amended, of the March 27, 2018 Regular Council Meeting, which was seconded by Ms. Belknap and carried by a 5 – 0 vote.

Ms. Patti made a motion to approve the minutes of the April 4, 2018 Special Council Meeting, which was seconded by Mr. Garrett and carried by a 5 – 0 vote.

Fiscal Officer Taylor gave the Financial Reports as follows: The Income Tax collected year to date March 31, 2018 was \$95,989.74. The expenditures for the month of March 2018 were \$140,038.54 in checks and charges. Check numbers 34022 through 34100 were paid from the primary checking account during March 2018 with checks, number 34073 and 34074, voided during the month. Direct Deposit Vouchers 124-2018 through 155-2018 and 161-2018 through 185-2018 were also paid during the month of March 2018. The all funds reconciled balance for March 2018 was \$1,477,806.18.

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

Dispatchers Police, Fire and Rescue Reports for March 2018 by Mrs. Taylor – Mrs. Taylor made a motion to accept the Police, Fire and Rescue Reports for March 2018, which was seconded by Ms. Belknap and carried by a 5 – 0 vote.

Mayor’s Communication by Deborah Blewitt – Ms. Blewitt said she would save her comments until the end.

Prior requests of guests to speak – None

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officer’s expenditures for the month of March 2018 as reported. Ms. Belknap seconded this motion and it carried by a 5 – 0 vote.

Mr. Garrett made a motion to approve the all funds reconciled bank balance for March 2018 in the amount of \$1,477,806.18 as reported. Ms. Belknap seconded the motion which carried by a 5 – 0 vote.

Safety, Personnel, Rules (SPR) by Scott Garrett

Mr. Garrett read Resolution R-2018-8 **A RESOLUTION DETERMINING THAT THEODORE DESALVO IS IN NEED OF A REASONABLE ACCOMODATION TO COMPLY WITH SECTION 505.15 OF THE WINDHAM CODIFIED RESOLUTIONS AND GRANTING SUCH AN ACCOMMODATION.** This was a third read. Mr. Garrett made a motion to adopt R-2018-8, which was seconded by Ms. Patti and carried by a 5 – 0 vote.

Ms. Patti made a motion to pay Marie Evitts, the Part-Time Utilities Clerk \$12.35/hr. Ms. Belknap seconded this motion and it was carried by a 5 – 0 vote.

Mr. Garrett read Ordinance O-2018-12 **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 first read.

Ms. Blewitt asked why Bill Pennington's raise was not on the agenda. Fiscal Officer Taylor explained that Bill's raise is already included in Ordinance O-2018-12; however the motion that was made in the Committee meeting was not correct. Fiscal Officer Taylor said the motion that was made in the Committee meeting was off of Ms. Brown's proposed changes to the pay Ordinance that has not yet been adopted. Fiscal Officer Taylor said Ordinance O-2018-12 has to go on three reads, so the motion can be made next Council meeting.

Utilities by Cheryl Taylor

Mrs. Taylor made a motion to ratify Bill Pennington in purchasing a backup generator for the Horn Road Lift Station at a cost of \$8,300. Ms. Belknap seconded this motion and it was carried by a 5 – 0 vote.

Mrs. Taylor read R-2018-12 **A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO APPLY FOR, ACCEPT, AND ENTER INTO A WINDHAM WATER SYSTEM ASSET MANAGEMENT PLAN DEVELOPMENT - WSRLA LOAN AGREEMENT ON BEHALF OF THE VILLAGE OF WINDHAM FOR THE DEVELOPMENT OF AN ASSET MANAGEMENT PLAN; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN** and made a motion to suspend the rules, which was seconded by Ms. Belknap and carried by a 5 – 0 vote. Mrs. Taylor made a motion to adopt R-2018-12, which was seconded by Mr. Garrett and carried by a 5 – 0 vote.

Service Committee by Sandy Patti

Ms. Patti said she had a problem with the wording of the motion in 12.1 and wanted to know how to go about changing the wording. Mr. Reitz said to tell Council what concerns Ms. Patti and then what she would like it to say instead. Ms. Patti said she did not like the wording that said "for initial use by the Village Administration" because the pole building is being used for the Police cruisers. Ms. Patti said she would like it to read "Motion, second, and vote to direct the Village Administrator, along with the Service Committee, to begin accepting sealed bids and to contract preferred bidder to proceed with construction of a pole building to be used as a detached garage for the Village cruisers, to be constructed on the west end side of the Municipal Hall, advertising for bidding and choosing to be done as soon as possible, so the Village will not lose funds designated for the project, which expire after May 31, 2018." Ms. Patti said the way the motion reads on the agenda is that the Village Administrator is going to do it all, but we have Committees. Fiscal Officer Taylor said this project is not going to be put out for bid. Ms. Blewitt said that the Service Committee has already directed the Village Administrator to do that. Ms. Patti said the Service Committee directed the Village Administrator to look for a package deal. Ms. Patti said the Service Committee then needs to get together and decide if that's exactly what we want and then we need to give the priorities for bidding. Mr. Reitz said there is a bunch of things in Ms. Patti's proposed change to the motion. Mr. Reitz said there is nothing wrong with competitively bidding the project, but the idea that the Village can advertise it, competitively bid it, open the bids, and award the contract before May 31, 2018 is unlikely. Mr. Reitz said the time that the Village has left to use these funds simply doesn't allow for a competitive bidding process. Mr. Reitz said if the Village wanted to do some kind of variation to that, you could have the Village Administrator reach out to contractors who do this type of work and ask them to submit proposals in a very short time period and Mr. Wagner could show those proposals to you at Committee. Mr. Reitz said you might get it done in time, but he thinks that's frankly very unlikely also. Ms. Moore said it's the same date in here as compared to what she is saying, right, so the date is the date is the date, according to Cortland, right, and so we have to go back to Cortland again. Fiscal Officer Taylor said according to Cortland, the project has to be completed and the funds have to be used and paid out by the 31st, and it is now the last week in April. Ms. Moore said so that's not going to happen. Ms. Moore asked what is the amount, was it under the \$50,000. Ms. Patti said \$56,000 and some odd dollars is what we have allocated. Ms. Moore said the pole thing is a lot cheaper, right. Ms. Patti said Mr. Wagner has not got the plans and we have no idea. Ms. Blewitt said Mr. Wagner told her that there is not a pole kit for the size that we want. Ms. Patti asked if we have to have the specs and blueprints drawn. Ms. Moore asked why it was on the agenda and Ms. Blewitt said because Mr. Wagner just found that out today. Ms. Moore said this can't even really be done anyway tonight, we're going to go beyond the date, and we have no back up documents for what he's

looking for. Ms. Moore said we'll go back to Cortland, we're friends with them. Ms. Blewitt said we've already been to Cortland. Ms. Moore said if they hold the line and say "nope, May 31st", what happens then. Ms. Blewitt said we don't have a garage. Ms. Moore said we have a mortgage that allows us to have that much money, right. Fiscal Officer Taylor said no, the loan was taken out for \$325,000 give or take when we purchase the building, \$125,000 came out to purchase the building, the rest of it was supposed to be used for renovations, adding a garage, whatever we were going to do, but that was basically an improvement loan, like you would get on your house and it had a deadline, that deadline has now been extended three times and Cortland was pretty sure they weren't going to be able to extend it any further, since the original loan was taken out in the end of 2012, the beginning of 2013. Fiscal Officer Taylor said in other words, if we don't get this done and use the funds that are available left in this loan, we don't pay that amount back, what's left, we pay what we've used already, but we're not going to have that available to build a garage after May 31st. Mayor Blewitt said it is still going to be a pole building; it's just not going to come in a kit. Ms. Patti said we don't have any plans or blueprints for it; we have nothing to go by. Mayor Blewitt said Joe Bodnar already charged us for drawings we couldn't even use. Mayor Blewitt asked if we just paid the retainer or the full amount to Mr. Bodnar. Fiscal Officer Taylor said just the retainer. Mayor Blewitt said Joe Bodnar sent Ryan Wagner an email stating that he is willing to draw up quick plans for the pole building at no extra charge and he knew Ryan was crunched for time and he would get them to him quickly. Ms. Moore said she thought a minute ago, we already said we weren't going to make the 31st date. Mayor Blewitt said if we do the sealed bids and that whole process, because there's an advertisement, it's such a huge process. Mr. Reitz said it has to be advertised twice, at least a week apart. Mayor Blewitt said that's where we're running into that and then you open the bids, then you got to grant, then you have to build it. Mr. Garrett said once they start building, if you get a decent size company and the weather is decent, they can put that up in a couple of days. Mr. Garrett said they will have one crew come in a dig the foot holes, they'll lay the cement, they'll put the poles in and they'll get another crew in and all they do is put the structure in, then another crew lays the roof, and another crew puts on the siding, they come in waves. Ms. Patti said the only way she can see we can do this is, because she has four contractors that want to bid on it and Ryan has one company, is to notify all of them to come on a certain day to look at the plans and leave their bid with Ryan and then we can choose from that. Mr. Reitz said that is not actually considered bidding, that is a request for proposals, and if the total cost of the project is less than \$50,000 then that complies with the Ohio Revised Code, competitive bidding does not have to take place unless the cost of the project is more than \$50,000, so there's a couple of ifs in there, if you get the type of response that you hope you'll get and the cost of the project is less than \$50,000, you can award a contract pretty promptly, whether you get it done by May 31st or not, he doesn't know. Ms. Belknap asked Mr. Reitz if he thinks it won't. Mr. Reitz said he is sure if we competitively bid the project, you won't get it accomplished. Ms. Patti said if we get all the bidders in, let's say by the first of the week, will Joe have the plans done by the first of the week. Mayor Blewitt said she thought Ryan told Joe he had to have the plans by the first of the week; however she can't verify that because Ryan is on vacation. Ms. Patti said okay, we can't really set up a date for the contractors to come in and look at it. Ms. Moore said you could set a date, he will be back. Mayor Blewitt said Ryan will be back Saturday today is Monday. Ms. Moore said let's say we don't meet the deadline. Mayor Blewitt said then how are we going to pay for it. Ms. Moore said I mean it's a bank, how would a new loan be terribly disadvantageous for us. Mayor Blewitt said we have a really good interest rate right now and she doesn't know what interest rates are now. Fiscal Officer Taylor you would have to start the loan process from the very beginning. Mayor Blewitt said but you've got somebody you have to pay for doing the project. Ms. Patti said there was something in one of the paper works about a lift, or stair steps, and that's not something that we were going to include in that. Mayor Blewitt said, why would you, it's not attached to this building. Ms. Patti said she knows, but she is just saying it was in some of the wording. Ms. Moore said Ms. Patti said it was in some of the wording and it shouldn't have been. Mayor Blewitt said she didn't see it. Ms. Patti said the only thing she can think of that we could do, is maybe contact the bidders, because Ryan will know as soon as he gets here, whether Bodnar has the print in his mail or not, correct Monday, she can notify her bidders, that Tuesday, they can set that day aside and come in and look at the notes and if it doesn't come in then she'll call and say don't come tomorrow. Mayor Blewitt asked Chief Breiding if he had Joe Bodnar's number and the Chief said no and the Mayor said she would give it to him and he can ask Joe when he will have the plans and have him email them to him, Ms. Patti never given an email that we can email anything to, so when the Chief gets that information, please give it to them and the Chief said absolutely. Mr. Garrett said from a logistical standpoint don't we have to pass something tonight or we would have to have a special meeting, because next meeting we would only be approving it days before the deadline. Mr. Reitz said although he's not anxious to tell Council to have another meeting, they don't know what they are voting on tonight and Mr. Garrett agreed. Ms. Patti said there is a Committee meeting Tuesday night. Mr. Reitz said doesn't it

make more sense to wait until they have the proposals and you know what is there and then vote at that point. Mayor Blewitt agreed. Ms. Patti said we have a Committee meeting Tuesday night, if we have to we can come fifteen or twenty minutes early and Mr. Garrett and Mr. Reitz agreed. Ms. Moore said even then why would you have to have a special meeting for that if we're already in, well because of the Council vote, that's right. Ms. Moore said during the Housing or whatever it's under, then have the Council special meeting after that, because you have to figure through some things still, or do you want to do that in the special meeting. Ms. Patti said Service Committee is Tuesday night, so that's under my review. Ms. Moore said it sounds like you have things to work through before you would even involve the rest of us. Tom Brett said you have to consider that the plans have to be approved by the Portage County Building Department. Mayor Blewitt said one of the nice things is they require a stamp and Joe Bodnar can do that. Mayor Blewitt said Joe Bodnar works for the Building Department, and she thinks he will push that through quickly. Tom Brett said initial proposal exceeded the height limit. Mr. Reitz asked if we would need a variance for the zoning code. Tom Brett said it may or may not need a variance depending on Joe's new drawings. Mayor Blewitt asked how tall does it have to be, we're putting Police cruisers in it. Chief Breiding said his understanding was when we switched from an attached to a detached garage it would be less than twelve feet. Mayor Blewitt said she couldn't believe that wouldn't meet zoning. Chief Breiding said we're not doing a two-story building anymore, instead it's a one-story, so you're looking at twelve feet. Mr. Reitz asked if it was R2, and Tom Brett said yes, an accessory building in R2 can be fifteen feet. Ms. Patti asked so it needs to be fifteen feet and Mr. Reitz said or less. Tom Brett said it was eighteen feet on the proposal he saw and Chief Breiding said that was when we were going to have it attached and Tom Brett said no, he filled out a permit for 18 feet. Mayor Blewitt asked Chief Breiding to mention the height restriction when he talks to Joe Bodnar. Ms. Patti made a motion to table this motion, which was seconded by Mr. Garrett. Mr. Reitz asked before the vote to table, is Council going to set a Special Council meeting. Mr. Garrett said we will when we look at the calendar at the end of the meeting. Ms. Moore asked Tom Brett if he would be there for the Committee meeting, Tuesday, because we have a couple of other things in Housing coming up and Mr. Brett said yes, and Ms. Moore said plus we have speakers that night too, right, someone coming for the rental licenses. Mayor Blewitt said yes we do and asked Jim Moore if he was coming. Ms. Moore said she thinks her mom might come too. This motion carried by a 5 – 0 vote.

Ms. Patti read Ordinance O-2018-11 **AN ORDINANCE AUTHORIZING LEASE OF VILLAGE-OWNED PROPERTY TO HIGHEST BIDDER AND DECLARING AN EMERGENCY.** and made a motion to suspend the rules, which was seconded by Ms. Belknap and carried by a 5 – 0 vote. Ms. Patti made a motion to adopt Ordinance O-2018-11, which was seconded by Ms. Belknap and carried by a 5 – 0 vote.

Economic Development by Sheila Moore

Ms. Moore made a motion to authorize payment of up to \$1,500 to grant writer Melinda Holsopple to write a grant for the Farmer's Market Program. This motion was seconded by Ms. Patti and carried by a 5 – 0 vote.

Parks and Recreation by Ms. Belknap

Ms. Belknap made a motion to approve the expenditure of up to \$1,000 for the Park line item in the General Fund for the purchase of dirt to prepare the Village baseball fields for the Hot Stove Baseball season. This motion was seconded by Mr. Garrett and carried by a 4 – 1 vote, with Ms. Moore being the dissenting vote.

Ms. Belknap made a motion to purchase a swing set from AAA State of Play to be installed at the Village Park located on Martin Luther Drive for a price not to exceed \$1,086 with an additional fee of \$396 for pay for delivery to the Village and to authorize the payment from the Park line item in the General Fund. This motion was seconded by Ms. Moore and carried by a 5 – 0 vote.

Planning and Zoning by Deborah Blewitt

Ms. Blewitt read Ordinance O-2018-6 **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 .** This was a third read. Ms. Belknap made a motion to adopt O-2018-6, which was seconded by Ms. Moore. Ms. Patti asked what R3 was and Mr. Brett explained that it is residential. This motion was carried by a 5 – 0 vote. Mr. Brett said our existing Zoning

map was printed by Regional Planning, and will they also create the revision to it. Ms. Blewitt said yes, we can use some of the hours that we pay them for to revise the Zoning map. Mr. Brett asked if we can the revised Zoning Map put on the Village website. Fiscal Officer Taylor said yes, she would just need a revised copy of the map. Mr. Brett said he would contact Regional Planning about getting the Zoning map revised and getting a copy of it.

Ms. Blewitt read Ordinance O-2018-7 **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-2.** This was a third read. Ms. Patti made a motion to adopt Ordinance-2018-7, which was seconded by Ms. Belknap. This motion was carried by 5 – 0 vote.

Solicitor's Report by Tom Reitz – Mr. Reitz said that he had reported to Council, not long ago that Trisha Fall had dismissed her appeal to the Common Pleas Court of the denial of her workers' compensation claim. Mr. Reitz said that what Mrs. Fall was doing was asking for additional allowed conditions and those had not been approved yet and Mr. Reitz anticipated that they would not be approved at the Industrial Commission level and if that happened there would be a second appeal to the Common Pleas Court incorporating all of those requests. Mr. Reitz said that second appeal has happened and he has begun defending that litigation again.

Guest Recognition – Jim Moore said he saw in the paper that the Fire Board was putting a 2 mil levy on the ballot and he wanted to know what it was for. Mrs. Taylor explained that the levy is for the continuance of keeping the Fire Station staffed 24 hours. Mr. Moore said there has been a full staff and Mrs. Taylor said yes there has but they need additional money to keep that going. Ms. Patti asked if the Fire Department got a raise and Mrs. Taylor said no. Jim Moore asked what positions were being changed on the pay Ordinance O-2018-12. Fiscal Officer Taylor said it was the Part-Time Utilities Clerk position. Jim Moore asked if there has been any further discussion on the one trash hauler and the curb-side recycling because it was not discussed tonight. Ms. Patti said that has been tabled. Ms. Moore said it will be discussed at the next Committee meeting next week. Mayor Blewitt said she is hoping that everyone that said they will get ahold of a trash hauler has done that. Ms. Moore said she has been doing other background because she doesn't have a trash hauler and she has other documents for the meeting. Mayor Blewitt told Mr. Moore that curb-side has been put on hold; however she did speak with Bill Steiner today because he wanted to know where the Village stands. Mayor Blewitt said the Township has told Mr. Steiner that they are ready to move forward with curb-side and she told Mr. Steiner that the Village is not ready to move forward at this time and that there is now discussion about one trash hauler in town. Mayor Blewitt said she told Mr. Steiner that we need to move the dumpsters to a new location so we can get them out of the Sewer Plant and she just needs to give him the date to come out and move them. Ms. Patti asked if the dumpsters belonged to him and Mayor Blewitt said they belong to Portage Recycle, so they will move them. Mayor Blewitt said we discussed that there was only one spot they could be moved to. Ms. Moore said we didn't make a formal motion, but there was a general consensus to move them to that spot. Mr. Reitz asked if they were talking about recycling or garbage. Ms. Moore said both. Mr. Moore asked if both the recycle and garbage were talked about last month. Mr. Garrett said it sounds like we're putting curb-side on the back burner and looking at a single hauler right now. Mr. Moore said he had mentioned at the meeting last month that whatever Council does, don't try to go after everything at once, if want the trash haulers first then you ought to put it on the ballot with the voters and you have time to do that between now and August when it has to be submitted to the Board of Elections. Ms. Moore said she thinks that has kind of come to a head for the next meeting and we kind of agree with that, but we haven't made that decision. Ms. Moore said Council is calling haulers to get information for the next meeting. Mayor Blewitt told Mr. Moore that she personally likes the idea and her and Mr. Garrett has a conversation about this, and if we get it down to one hauler, chances are everyone in this room is going to save money and you may not have as much opposition for curb-side recycle because we could include that at some point and you would still be saving money. Mr. Moore said people love their hauler, but they love saving money more. Mayor Blewitt said some people just don't want to be told who their trash hauler is and Ms. Moore agreed. Mr. Moore said Mantua took theirs to their voters for the rubbish in 2010 and it got passed by the voters and then went out for bids and they've been happy with it. Mayor Blewitt asked Ms. Moore if that was the plan she brought in. Ms. Moore said yes, and she has more, one from Twinsburg too. Ms. Moore said going after one hauler slows us down and we have time to have a better look at what the recycle containers look like, so we don't have twice as many containers, which is her big thing, you know everybody having all these big containers out in the street all the time. Ms. Moore said she saw a nice Kimble one at Arby's that was a recycle for the multiple unit places, so that all of that congestion of all those cans can be alleviated once you go with; if we go with recycle too. Mayor Blewitt said other than Portage Woods she

thinks most people have a dumpster for their residents, but the thing is none of that is up to code, not one of them are sitting on a concrete pad, which is how it should be, so when we do this we need to do the whole thing at one time. Mayor Blewitt said she would like to see all the individual garbage cans in the multi units gone and everyone put in a dumpster. Ms. Moore agreed and said we have time to deal with that if we're just dealing with one hauler right now, then do the recycle. Ms. Moore said with the new 30 units that are going in, we can get them to look right and go with what we're looking for. Mr. Moore said the best bidder in 2010 for Mantua was Kimble, it was a different name then, but they re-upped the contract with them in 2013, the original contract was for two years. Fiscal Officer Taylor said the old name was J&J Refuse. Ms. Moore said there are what, seven haulers in town every week. Ms. Belknap said that's got to be a lot of wear and tear on the roads. Mr. Moore said Mantua didn't go to curb-side recycle until 2013 and he's not sure if they took it to the voters, but there were ordinances they passed that Kimble was their curb-side recycler.

Last Chance of Council to Speak on Any Subject – Ms. Moore said there was no listing for Committee reports on the agenda, so she would give hers now. Mayor Blewitt asked what she meant and Ms. Moore said, you know Economic Development report. Ms. Patti said that's in committee, isn't it. Ms. Moore said there is the Mayor's correspondence and then you go through, there's usually a report. Fiscal Officer Taylor said it's just your section, if you don't have anything you can give a report, but you had a motion vote tonight. Ms. Moore said that's why it looks different because she never usually has anything. Ms. Moore said she just wants to give an update on the Farmer's Market, it is going pretty quick and there's a lot that we're trying to get done in a short amount of time and if anyone wants to help, she's sure she can give them something to do, call your Congressman or something. Ms. Moore asked Mayor Blewitt if there was anything that they were missing that someone here could help with. Mayor Blewitt said she put forms in Ms. Moore's box, and Ms. Moore said she got them, Mayor Blewitt said she won't be able to complete those because she won't be here, but everyone who is already serving on the advisory board, the Health Department, the extension office in Portage County, Ms. Moore is going to have to get that in and everybody has to sign it and that has to be done very quickly. Ms. Moore asked if other members of Council can do this or just the steering committee. Mayor Blewitt said that Ms. Belknap was already in to be on the committee and the grant writer recommended not more than 7 or 8 members, and right now we have six. Ms. Moore said there is a May 7, 2018 deadline to get the grant filed. Mr. DeSalvo asked with the Farmer's Market, what do you want to bring in. Ms. Moore said first, fresh produce, and possibly meats and grow it into something fun, like Farmer's Markets in other communities, a petting zoo, face painting, candle makers. Fiscal Officer Taylor said a lot of times there are vendors, like people that make their own soaps and own lotions. Mr. Garrett said like maple syrup. Ms. Moore said the Hickman's and the bees and the syrup, but firstly it's going to be about agriculture and food, produce, but then we can make it fun and local. Mr. DeSalvo said along that line, someone may want to bring fresh eggs. Ms. Moore said sure, and they talked about the meat, meat was a big deal because of ranchers and cattle, and pigs. Mayor Blewitt said the whole point of this is to get the local farmers involved and the Health Department said they have some nutritional classes that they can do. Ms. Moore said she welcomed any suggestions or help that anyone could offer, she has a running list, but the deadline is May 7th. Mr. Garrett suggested baked goods. Mr. DeSalvo asked where the location for the Farmer's Market was. Ms. Moore said right now it's the Community Center area, so the vendors can come in with their goods and not walk too far. Ms. Belknap said they can set up out front and Mayor Blewitt said they will also be inside the Community Center. Ms. Moore said we're working hard to make this happen, it's a big deal, and we don't have any produce around here. Mayor Blewitt said the meat would be like Dumas or Charlanne Farms and some organic items for sure. Ms. Patti said she has a meeting with Home Depot tomorrow to see the Community Building and getting a grant for the insulation. Mayor Blewitt said she has not heard anything back from 8th Count Dance Studio about renting the old Library. Mayor Blewitt said the flower pots are supposed to be delivered to Gearhart's tomorrow. Mayor Blewitt said she met with Danny Burns and there is a problem with one of the fences at the Park on field #2 leaning into a dugout, and she thinks we can probably get enough volunteer help to shore it up; however there may be a small cost to fix this. Mayor Blewitt said the fence at the tennis court is also leaning in and she wants the Parks & Recreation Committee to look at this. Ms. Moore asked if Mr. Wagner would be back for the Parks meeting on May 1st and Mayor Blewitt said yes. Ms. Moore said they wanted to also cover the basketball court issue with him. Mayor Blewitt said the basketball court was full tonight and she actually walked it and there is only one crack that she is really concerned with. Ms. Moore said you could disappear in it. Mayor Blewitt said she thinks that we could probably get that fixed enough for this summer and there's no way around it, we'll never be able to afford to build another court like that, we could probably blacktop over that court. Ms. Belknap said she didn't think they wanted blacktop. Mayor Blewitt said even if we pave it, you're talking huge dollars, unless you find a grant. Ms. Moore said we have to find

a way to fix it, never say never. Mayor Blewitt said she would say never to the Park Committee having \$50,000 to \$60,000 to put into a new basketball court. Ms. Moore said she doesn't know why it would cost that much, where did you get that number, because she's never heard of a number that high. Mayor Blewitt said that number is from everyone she's talked to, if we're going to replace like the way it is. Ms. Moore said we definitely will look into that. Mayor Blewitt said with the Farmer's Market grant we had to provide our SAM number and grant.gov number and everything has been provided except a few things. Ms. Moore asked Mayor Blewitt when she would be back from vacation and she said April 30th, so Ms. Moore said we still have a week from then before the deadline, but those forms have to be in before then. Mayor Blewitt said she thinks that she has provided all the information that she needed to, the building and the Health Department. Ms. Moore said she is waiting for an answer from the grant writer about the USDA representative, and then she can continue with her part. Mr. Moore asked about the landlords that did not apply for the Housing Rental License and now they are complaining and want to make changes because now they have to pay, is that correct. Mayor Blewitt said Tom Brett sends a letter telling the landlords they need an inspection, but they don't get the inspection until they pay the license fee and Tom Brett confirmed this. Mayor Blewitt said when the landlords don't respond with payment, how do we want to go after them. Mr. Moore asked were the landlords notified and do they have to be notified, and Tom Brett said yes they were notified. Mr. Moore asked if the landlords are responsible for our ordinances for Housing Rental Licenses. Mr. Reitz said the landlords are absolutely responsible for knowing the laws in the Village, whether you send them a letter or not. Mr. Reitz said the fact that Mr. Brett sends the landlords letters is a great practice and probably very helpful to people, but the Village cannot take the position that a citizen can say to us "I wasn't notified about your law, therefore I don't have to follow it". Ms. Moore said that ignorance of the law thing, right. Tom Brett said there are some enforcement issues that need addressed. Mayor Blewitt said one of the landlords said he paid for 4 inspections and only got 2, but that wasn't true, we have records on all four. Mr. Moore asked if the landlords that plead ignorance and didn't pay, are they responsible for paying the license fee back from whatever years because the money for that fund is used for several things, one for sure is tearing down buildings, that was the original 1989 ordinance. Tom Brett said that was one of the questions he had, can we go back and assess the property tax for those unpaid license fees and Mr. Reitz said he did not know the answer to that off of the top of his head. Ms. Moore said she is not on that committee, but she is looking forward to straightening all that out with Council.

Council looked at the calendar for May. The Committee Meetings will be Tuesday, May 1st, 2018 at 6:00 p.m. and Tuesday, May 8th, 2018 at 6:00 p.m. The Council Meeting will be Tuesday, May 22nd, 2018 at 7:00 p.m.

Mayor Blewitt told Council that if they were one of the persons that were supposed to get a hold of a trash hauler, please make sure to get that taken care of so we can get this thing wound up. Mr. Garrett asked Ms. Moore if she got a hold of Kimble or if she wanted him to do that. Ms. Moore said she has had some conversations with them, she doesn't have rates, and it's more background stuff. Mr. Garrett said he would contact them. Mr. Garrett asked Fiscal Officer Taylor how many utility customers we had and she said 734. Mr. Garrett said he would get an estimate for between 700 and 750 customers and Fiscal Officer Taylor said that would be pretty accurate. Fiscal Officer Taylor mentioned that Mr. Garrett should probably explain that the number he is giving them is off of utility customers and some of those include apartment buildings so we may want dumpsters for those. Ms. Moore said we may want a unit container for the apartments as opposed to the rollies, and get them to put the concrete down like they are supposed to. Mayor Blewitt said to take into consideration that the Township uses Wolf and Horn Roads, so if they continue to have six haulers, you would still have six haulers on those two roads, someone may want to contact the Township and see if they want in on this. Mr. Garrett said we can share that information with the Township when we get some preliminary figures. Mayor Blewitt asked Mr. Reitz if we needed a motion vote to move the recycle containers out of the Sewer Plant to another location in the Village. Ms. Moore said Utilities Committee is in charge of that, in charge of trash. Mr. Reitz asked how the containers got at the Sewer Plant in the first place. Mayor Blewitt said Rob Donham had them moved, did Council ever vote on that, that's why she's asking. Ms. Moore said things were done differently then. Mayor Blewitt said she was on Council then, and Ms. Moore said uhh, they were done differently. Mayor Blewitt said do we need to waste any more time, let's just get them moved. Mr. Reitz said by the Ohio Revised Code your Village Administrator is charged with the management of your properties and so he thinks that Mr. Wagner can authorize that move. Mr. Reitz said he sometimes does not know how to answer your questions on that because the Ohio Revised Code give the Village Administrator a lot of discretion and a lot of authority, and depending on who's seated on the Council at various times, sometimes the Council says "that's good, that's what we pay you for" and let him do his job, and other times Council will say "it's

not that we don't trust him doing his job, it's that we want to be better informed and we want to be more involved in the process", both of these are permitted under the Ohio Revised Code, so he is at a loss as to what to tell Council, if you were to say this evening that you are good with the Village Administrator authorizing that move, that would be permissive. Mayor Blewitt said would it have to be the Utilities Committee that says that. Mr. Reitz said the committees in and of themselves have zero power, that can't award contracts; they don't direct administration to do anything. Ms. Moore said, right they move it on up the chain. Mr. Reitz said they move it on up to the Council. Mr. Reitz said when you say the Village Safety Committee or the Finance Committee recommends this, it's a valuable thing to have that recommendation, but it's not a binding on you. Mr. Reitz said he's seen more than once, Council get caught in that conundrum where new things have come to light between the Committee meeting and the Council meeting, you don't expect the Council to turn a blind eye to that. Ms. Moore said she's not sure she understands what Mr. Reitz means by that. Mr. Garrett said basically Council does not need to follow the recommendations of Committees. Ms. Moore said well no, right, usually we do though because we're all in on it at the committee level. Mr. Reitz said something he's seen happen with the Council, you go to your Service Committee and you get an offer to buy a Kubota for \$8,000 and the Service Committee says out of the three or four offers that we've seen, \$8,000 is not only the best price, but it's the best product and we recommend that to the Village Council and in between the Service Committee meeting and the Council meeting the Village Administrator gets the same Kubota tractor for \$7,250, the Service Committee didn't know about that, but that information's available when it gets to the Council level, is the Council obligated to do what the Service Committee said. Ms. Moore interrupted and said no we amend it; we've been flexible like that. Ms. Moore said I'm not sure what that is all about. Mayor Blewitt said her thinking is, the weather is breaking and she would like to get those containers moved and get the Sewer Plant locked up. Ms. Moore said that's fine, but when Council was at the Ohio Municipal League, which was like, we were supposed to learn all this stuff, we actually did, and part of the ORC says that the Utilities Committee is in charge of the trash, and so we start the process and so if we want to give to Ryan to do, we do and then we send it to Council, right, so it's like it goes to the House and then it goes to Congress, or whatever, there's like steps, there are some things obviously he's in charge of, but this trash thing has been a thorn in a lot of people's side and there's ways of doing it better and we're trying to figure that all out for the Villagers and the ease of the administration, so to just go all of a sudden now we're going to give it to Ryan, well no because we've been working on this. Mayor Blewitt said she thought committee was all in agreement that we had to get it out of there. Ms. Moore said she totally agreed with that, but all of a sudden. Mayor Blewitt said so we're going to do another month of dragging our feet. Ms. Moore laughed and said no, we can decide that at committee, right. Mayor Blewitt said it was his understanding that we've got to move them and we found a place to move them. Ms. Patti and Mr. Garrett asked where they are going to be moved. Mayor Blewitt said they'll be moved to the old Police Station, up front, where they will be visible or we'll continue to have the same problem that we've always had and every time they come and empty the dumpster at the Sewer Plant with all the stuff that people put in there, the Village is paying that bill. Ms. Moore said we're on the road to having those moved, there's nobody that she knows of that wants to keep them in the Sewer Plant, she for one can't even believe they got put there, but they are, so we're all in favor of moving them. Mayor Blewitt said that's her point exactly, we're all in favor of moving them, so let's just move them. Ms. Moore said that's fine but I mean what do you want us to do, I mean is someone going to make a motion right now, I mean. Mayor Blewitt said we don't need one, he just said we don't need one all we need to do is the committee needs to instruct him. Ms. Moore said the committee isn't meeting right now. Mayor Blewitt said they already met and Ms. Moore said right. Mayor Blewitt said everybody liked the idea last month. Ms. Moore said so you want to jump ahead and do that. Mayor Blewitt said she doesn't think that is jumping ahead, she thinks that's not dragging our feet so we end up in the same position. Ms. Moore said we're not dragging our feet, we already agreed with all that, now you want us to move, move, move right now. Ms. Moore said she is not in favor of that because that's how they got put there in the first place. Mayor Blewitt said she doesn't think the Council had anything to do with them being put there. Ms. Moore said well exactly, now Council is playing their role and using their authority and going through their committees and then moving things up the chain, but we didn't, and I'm in favor of moving them tomorrow if we can be explained the way to do that, but she's not hearing that, she's just hearing let's give that to Ryan and that's not what, and Ryan is on vacation. Mayor Blewitt said she gets that and she's not saying they have to be moved tomorrow, but instead of waiting another month and then doing the whole Council thing, if it falls under Ryan's job and everyone at the table is in favor of moving them, why would we have another meeting over it. Ms. Moore said we're having a meeting next Tuesday, right, it's coming really quick, right, so Ryan's not here, we can do it at committee and then like a lot of these things on the agenda things already start moving before the Council meeting and we can do it at the Council Meeting, but they'll be moved in the meantime. Mr. Garrett said no you

can't do that. Ms. Moore laughed and said this whole agenda is like half of that. Mr. Garrett said on one hand Ms. Moore is saying the Council should make the direction, right. Mayor Blewitt said no, she said committee, which the Mayor thought they basically did. Mr. Garrett said if the committee makes the direction, then if you're doing it that way then it should go to Council to be approved. Ms. Moore asked if anyone had the minutes from committee. Mr. Garrett said we don't have to do it that way; we can just direct the Administrator. Ms. Moore said well then are we making that motion right now for the Administrator who's on vacation and we can't wait until next week when he's actually back, I mean. Mayor Blewitt said nobody said we can't wait until next week. Ms. Moore said well why are we talking about it then, we're doing it next week; we're actually doing it next week. Mayor Blewitt said in her mind it was already decided last week. Ms. Moore said she knows they talked about it and everyone wants it out of there, so why are we talking about it if we're doing it next week. Mayor Blewitt said so why are we talking about it. Ms. Moore laughed and said she didn't bring it up. Mayor Blewitt said ok, alright. Ms. Moore said the mayor said let's get them out, is there a way to get them out and he said the Village Administrator can do that, well he's not here. Mayor Blewitt said Ms. Moore said she learned at the Municipal League that that's not the proper way to do things, well apparently it is. Ms. Moore laughed and said it depends on who you ask, right so the Municipal League says no, Mr. Reitz says yes, so if we're not making a motion for Ryan to do this right now, right, why are we talking about it, we're doing it next week. Mayor Blewitt asked if we were done. Ms. Moore said she was done.

Ms. Belknap made a motion to adjourn the meeting which was seconded by Mrs. Taylor and by unanimous vote the meeting was adjourned at 8:12 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.