

Minutes of Regular Council Meeting

Held May 28, 2019

At 7:00 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, Jim Moore, Tom Brett, Debbie Blewitt, Ivan Ward, Patty Moore, Kay Friend, and Eric Breidling.

Mr. Snyder made a motion to approve the minutes of the April 23, 2019 Public Hearing, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mr. Snyder made a motion to approve the minutes of the April 24, 2019 Special Council Meeting, which was seconded by Mrs. Cale and carried by a 6 – 0 vote

Fiscal Officer Taylor gave the Financial Reports as follows: The Income Tax collected year to date April 30, 2019 was \$146,990.86. The expenditures for the month of April 2019 were \$109,914.95 in checks and charges. Check numbers 35083 through 35155 were paid from the primary checking account during April 2019 with no checks voided during the month. Direct Deposit Vouchers 164-2019 through 191-2019 and 197-2019 through 216-2019 were also paid during the month of April 2019. The all funds reconciled balance for April 2019 was \$1,683,351.60.

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

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

Mayor's Communication by Scott Garrett – Mr. Garrett gave a shout out to Aaron Blevins, a senior at Windham High School, he is going to state for the second time with a jump of 6'5". Mr. Garrett commended Melissa Roubic for her remarks at the Memorial Day Parade. Mr. Garrett commended the school children for their involvement in the Village Clean-Up. Mr. Garrett also commended the Village employees for their help with the Village Clean-Up.

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 April 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 April 2019 in the amount of \$1,683,351.60 as reported. Mr. Snyder seconded the motion which carried by a 6 – 0 vote.

Mrs. Altieri read Resolution R-2019-10 **A RESOLUTION AUTHORIZING PARTICIPATION IN THE REGIONAL INCOME TAX AGENCY DELINQUENCY PROGRAM.** This was a second read. Mrs. Altieri made a motion to suspend the rules, which was seconded by Mr. Snyder and carried by a 6 – 0 vote. Mrs. Altieri made a motion to adopt Resolution R-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-2019-7 **AN ORDINANCE APPROVING THE RECODIFICATION, EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF WINDHAM, OHIO.** This was a second read.

Mr. Snyder read Ordinance O-2019-8 **AN ORDINANCE AMENDING SECTION 121.01 RULES FOR THE GOVERNANCE OF BUSINESS AND CONDUCT OF COUNCIL.** This was a second read.

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

Service Committee by Stacy Brown

Ms. Brown read Ordinance O-2019-9 **TO LEVY A MUNICIPAL MOTOR VEHICLE LICENSE FEE PURSUANT TO OHIO REVISED CODE SECTION 4504.172.** This was a second read.

Ms. Brown read Resolution R-2019-11 **A RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR A CONTRACT TO PERFORM THE 2019 PAVING PROJECT 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. Ms. Brown made a motion to adopt Resolution R-2019-11, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Ms. Brown read Ordinance O-2019-6 **AN ORDINANCE AMENDING VARIOUS SECTION 1341.08 OF THE WINDHAM HOUSING MAINTENANCE AND OCCUPANCY CODE WITH RESPECT TO LICENSING, INSPECTIONS AND FEES.** This was a third read. Ms. Brown made a motion to adopt Ordinance O-2019-6, which was seconded by Mr. Snyder and carried 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 said she had a great time working with the kids at the Village Clean-Up. Ms. Belknap said there are a few more benches to paint and she will get those done, weather permitting. Ms. Belknap said Tony Blewitt has the swing set assembled and he will put it in as soon as it quits raining. Mr. Snyder said the condition of the park looks great and he commended the kids and the employees for this. Mr. Garrett said he also wanted to give a shout out to our Stem Program at the High School, they took regional first place for the second year in a row.

Planning Commission by Scott Garrett – Mr. Garrett had nothing at the time.

Solicitor's Report by Tom Reitz

Mr. Snyder made a motion to enter into executive session to discuss pending and imminent litigation and invited Chief Breiding to come into executive session. This motion was seconded by Mrs. Altieri and carried by a 6 – 0 vote at 7:15 p.m.

Mrs. Cale made a motion to return from executive session. This motion was seconded by Mrs. Taylor and carried by a 6 – 0 vote at 7:55 p.m.

Guest Recognition – Patty Moore asked who was responsible for the drive going into Circle K. Mr. Garrett said the landlord that owns that property is responsible for that drive and parking lot. Mr. Garrett said that Circle K has a lawsuit against the landlord because he will not fix the drive and parking lot. Mr. Garrett said this is a civil matter. Mr. Garrett said he would get a hold of Circle K to see what the status of the lawsuit is and we could get a petition together saying if the holes don't get fixed the residents will stop shopping there. Mrs. Altieri said can't the renters fixed the problem and then take the cost off of their rent and Mrs. Blewitt said that is what Bruggman did. Mr. Garrett said he is not sure how aggressively Circle K is pursuing this lawsuit, so if there is a petition and their business drops then maybe they will become more serious about it. Jim Moore asked about the Housing Rental License letters and Tom Brett said that since that Ordinance passed tonight, those will go out this week. Jim Moore said the first letter is about 2019 Housing Rental License Fees and that will go to all landlords and Tom Brett said yes. Jim Moore asked how many unlicensed landlords there are right now and Tom Brett said he didn't know right at that moment. Jim Moore asked how many landlords are still delinquent for 2018 and Tom Brett said the same amount that was delinquent at the beginning of the year, the same amount as July 31, 2018. Jim Moore asked if all landlords pay the fee for this year and Tom Brett said yes. Jim Moore asked if the 2-year license starts this year. Tom Brett said you can apply for the 2-year license if you were licensed the previous year. Patty Moore said there is something on there that says landlords have until the end of March to apply. Tom Brett said that is moving forward, for next year. Patty Moore said, so we have until the end of July, this year and Tom Brett said yes. Tom Reitz said the Ordinance that was passed

tonight was not passed retroactive, so this year the deadline is July 31, 2019 and next year it will be in March 31, 2019, so if you apply for a 2-year license this year then your next application will be due March 31, 2021. Debbie Blewitt asked what the penalty was for landlords that don't apply by July 31, 2019 and Tom Brett said it will be double the application fee. Debbie Blewitt asked what will be done to enforce that and Tom Brett said the landlords will be sent a letter stating that the Village is going to assess their property taxes.

Last Chance of Council to Speak on Any Subject – Mrs. Cale asked if Council will still be able to talk with Dan Faith about the improvements to the Community Building. Mr. Garrett said we have already entered into a contract with him, but we could still ask him to come in and talk to Council and he would check into that. Mrs. Taylor told Chief Breiding that the Fire Department approved the \$500 for National Night Out. Debbie Blewitt said she had the company that was patching the holes in the Dollar General parking lot; patch the holes on Annette Drive for \$400.

Council looked at the calendar for June. The Committee meetings will be Tuesday, June 4, 2019 and Tuesday, June 11, 2019 at 6:00 p.m. The Council Meeting will be Tuesday, June 25, 2019 at 7:00 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 8:14 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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