



David Belknap asks if we are going to make sure this one is taken care of? Water Supplementing says this one will be taken care of. Maurina Collins asks for clarification on which dollar amount The Village will go off of to get the bids. Solicitor Tom Reitz clarifies that the purchase price of the machine is sixty-eight thousand nine hundred and eighty-five dollars (\$68,985) Council briefly discusses the options. Solicitor Tom Reitz gives Council a couple options. Option one (1): If Council determines that this is an emergency necessary to ensure the health and welfare of the municipality, Council can avoid the competing bidding process. Council needs to make that determination in a piece of legislature. Option two (2): The State Department of Administrative Services competitively bids all kinds of stuff every year. You look for the items on the website and see what the price is listed there and you can buy the item that has already been through the competitive bidding process. Option three (3): Is to the competitive bidding done. That's not going to be done in a month. David Belknap thinks the state website is the best idea. Council President Lawrence Cunningham agrees. Water Superintendent Tony Blewitt reminds Council to really look at and weigh the options when looking at the state website mentioned by Solicitor Tom Reitz. Council will want to make sure that the machine listed on the website has the options the Village departments will need. Maurina Collins asks Water Superintendent if he knows how to investigate that and if he could look into that. Water Superintendent said the sales representative knows all about the state bidding and that the sales representative was confident that The Village would not find a lower price on the state bidding website. David Belknap volunteers to look at the state bidding website for a comparable machine. Council are all in agreeance that The Village needs the machine. Just want to check the state bidding website to see if there is one for a cheaper price.

Council President Lawrence Cunningham asks Water Superintendent Tony Blewitt if he has quotes or anything for the grant writers. Water Superintendent Tony Blewitt confirms that Council President Lawrence Cunningham is referring to the meter replacements. Council President Lawrence Cunningham confirms. Water Superintendent says he will have quotes as soon as possible from the company.

Water Superintendent updates Council on the fact that the Village lost a lot of water over the holidays due to all the water line breaks. Informs Council that there will be a lot of credits this month. David Belknap asks if they are first time credits. Water Superintendent says you get one every calendar year. Some have had credits before, but it has been over a year. Water Superintendent mentions one community member that had a water line break during the recent cold snap and lost fifty-seven thousand (57,000) gallons of water. They don't get charged for sewer because they have a septic, so they can only receive a ten thousand (10,000) credit. David Belknap asks for clarification on the credit schedule. Wondering if that is a rolling twelve (12) month period or a calendar. Water Superintendent explains that it starts the day of the credit. So for this example, the community member would not be able to receive another credit until this day of the following year. Water Superintendent mentions that The Village did away with the payment plan a long time ago, and The Village pretty much sticks to that. Last year another community member was allowed to make payments on an over four thousand-dollars (\$4,000) bill. The community member this year told Water Superintendent Tony Blewitt know that they just don't have the money right now. They can make payments. Water Superintendent says it's like seven hundred dollars (\$700), so he wanted to ask Council if that was ok for the community member to make payments. He does not have that authority and with Administrator Maurice Hankins just coming into the roll of Administrator, he wanted to see if it was allowed. Administrator Maurice Hankins says the community member keeps making the payments, the Village should work with them. Council all agree. Maurina Collins asks if the community member from this years situation said how much extra they could pay. Council wants to know how much will need to be paid. Water Superintendent says that he did not know the exact dollar amount. Council President Lawrence Cunningham says that they need to know what the payment plan is because it affects the time frame based on the dollar amount. Council President Lawrence Cunningham requests more information because they can't make a decision with the current information presented. David Belknap asks if having the balance due will cause the community member to get shut off after the 26<sup>th</sup>. Water Superintendent shares more information about the situation the community member's situation. They are elderly members of the community and the water line boke outside of the home. Company came over and informed them that their yard flooding. The elderly community members had no reason to go out into the freezing cold and if it wasn't for company stopping by they never would have known. Solicitor Tom Reitz advises Council to direct the Water Superintendent not to shut the water off until Council can take further action. Gather all the information Council needs to decide how to proceed. Council President Lawrence

Cunningham instructs Water Superintendent to find out how much the balance is, inform the community member to make the regular payments and Council should know by the next meeting all the information needed to decide. Council President Lawrence Cunningham will speak with Mayor Scott Garrett and figure this out. Mentions that by next meeting we will establish something.

David Belknap moved to approve minutes from the December 27<sup>th</sup>, 2022 Regular Council Meeting with an addendum to change ACTING CLERK OF COUNCIL to CLERK OF COUNCIL. Maurina Collins seconded the motion and it carried by a 4-0 vote. Council President Lawrence Cunningham and Sherri Pennington sustained due to not being present at the December 27<sup>th</sup>, 2022 Council Meeting.

Council President Lawrence Cunningham moved to approve minutes from the January 17<sup>th</sup>, 2023 Special Meeting with an addendum to change ACTING CLERK OF COUNCIL to CLERK OF COUNCIL. David Belknap seconded the motion and it carried by a 6-0 vote.

Financial Officer's Financial Reports by Fiscal Officer Katrina Washington

Income Tax collected Year to date December 31, 2022: \$535,683.23

The Expenditures for the month of December 2022: \$162,875.88 in checks and charges. Check numbers 38225, 38251 through 38307, 38309, 38331 through 38333 and 38336 were paid from the primary checking account during December 2022 with 18 checks voided during the month. Direct Deposit Vouchers 667-2022, 735-2022 through 757-2022, 760-2022, 764-2022 through 769-2022, 772-2022, 794-2022 through 812-2022, 816-2022, 829-2022 through 832-2022 and 835-2022 were also paid during the month of December 2022. The all funds reconciled balance for December 2022 was \$2,222,768.03.

Prior Requests of guests to speak

Council President Lawrence Cunningham opened the floor to Ryan Wagner to address Council. Ryan Wagner thanked The Village for the opportunity to be interviewed for the Village Administrator position. Wishing the current Administrator Maurice Hankins, the best of luck and he respects the Council's decision. The reason Ryan Wagner wanted to address Council is because it was drawn to his attention that one of the issues that The Village has about his employment was because Ryan Wagner was writing down hours that he didn't actually work. Ryan Wagner asked Council if that was correct and wondering if that effected the decision Council made when considering his application. Terrie Altieri replied that at the time all that was going on, Ryan Wagner was supposed to be training as a Consultant. She believes at the time Ryan Wagner was clocking in but not there then clocking out later. Ryan Wagner asks how that was decided to be the case or how they came up with that conclusion. Terrie Altieri mentions talking to a previous employee of The Village because that was how it got brought to the attention of Council. Maurina Collins interrupts to ask Solicitor Tom Reitz a question. Since all this was discussed during Executive Session, is Council allowed to be discussing this now? Solicitor Tom Reitz advises Council to not speak of anything discussed in Executive Sessions. There were some questions about before Executive Session from Ryan Wagner, which Council did not respond. Ryan Wagner proceeds to share with Council that he started with The Village in 2013 as Maintenance. Mentioned that the Village was in shambles. Everyone worked together and really turned The Village around. Ryan Wagner gives multiple examples of his dedication to The Village of Windham. These examples show his passion and character for the Village. He recommends Council go back and look at his reviews. Ryan Wagner shares his side with Council involving the hours discrepancies. Council President Lawrence Cunningham interrupts and lets Ryan Wagner know that he will have a few more minutes then Council will have to move on to the next topic. Ryan Wagner informs Council that he has and runs a local business here. He's asking The Village to please restrain from telling people that he claimed hours that he didn't work because it could affect and hurt his business. Ryan Wagner thanked Council for their time. Council President Lawrence Cunningham thanked Ryan Wagner.

Nicole, local investor. Was wondering what she could do about the parking at her properties. She understands that she owns from the curb back, but from the curb forward is a mess. She was wondering if The Village can do anything to help rejuvenated and address the issues on the area she does not own in front of her properties. David Belknap asks for more information on which properties Nicole actually owns. David Belknap asks what has past practice been for the roads? Police Chief Rick Garinger says that he believes this has been addressed in prior Council meetings. Doing something with the parking area for apartment buildings and designating them for certain apartments and

possibly charge a ten dollar (\$10) a month parking pass specifically for the apartments. Water Superintendent Tony Blewitt explained that The Village has a lot of concrete that needs to be broken up. This could possibly be a solution to maintaining Maple Grove. There are grinders now that can sort and make fine grindings. David Belknap asked if they sort out the metal. Water Superintendent says yes. They are about ten to twelve thousand dollars (\$10,000-\$12,000) for the week and they charge you about fifteen hundred dollars (\$15,000) to deliver. The Village needs to come up with a solution though because when community members start putting their own stuff down on the roads, it ends up in our drains. Council President Lawrence Cunningham asks Administrator Maurice Hankins if this is something he would want to speak on now. David Belknap mentions that The Village should at least look into a grinder. Since we have the impound lot and other things that we are going to need good grindings for. Council and Water Superintendent discuss getting, using the grinding machine and the logistics of it. Picking up the leaves is also discussed. Council President Lawrence Cunningham asks Solicitor Tom Reitz if The Village can make an ordinance stating that the vehicles have to be moved to the other side of the road. Solicitor Tom Reitz says yes.

#### Old Business

The utilities department needs to know and confirmation on whether or not the Housing Inspection Fees will increase for 2023, or will they remain the same. Letters cannot be mailed out without this confirmation. Council President Lawrence Cunningham discussed this with Mayor Scott Garrett and he said The Village will not raise the fees for 2023 because we are behind and not caught up right now.

David Belknap makes a motion to hold the Housing Inspection Fees constant for 2023. Maurina Collins seconded the motion and it carried by a 6-0 vote.

Council discusses a community member noticing that some street lights are on all day no matter how sunny it is. Maurina Collins asks Police Chief Rick Garinger if the officers could pay attention to see if there are any lights on during the day while they are on patrol.

Village Council President Report represented by Council President Lawrence Cunningham

Senior Home still making progress and looking good.

Council President Lawrence Cunningham asks Fiscal Officer Katrina Washington what is the issue with the Car Charger. Fiscal Officer Katrina Washington asks Council how; per hour, per kilowatt, flat rate, ect; and how much The Village wants to charge for using the Car Charging Station. Most locations in our area are charging around twenty to thirty cents (\$0.20-\$0.30) per kilowatt. Council President Lawrence Cunningham says he will look into what others are charging in our area. Fiscal Officer Katrina Washington informs Council that the numbers that she has, come directly from the app the car charging will be linked with. They were able to tell us exactly what others in our area charge. Fiscal Officer Katrina Washington gave Council President Lawrence Cunningham documentation showing the conversation she had about the pricing options. David Belknap asks if there is a timeline that the charger has to be running by. Council was under the impression that The Village had another year or so to get the charging station up and running. Fiscal Officer Katrina Washington informs Council that the car charging station has to be up and running around either May or June. She needed to double check her notes for the exact month. While deciding on the rates, Fiscal Officer Katrina Washington also advised Council to keep in mind the monthly electric bill that will come whether the station is used or not. Along with the monthly app fee and maintenance expenses that The Village will also have to start paying for five (5) years from now.

Police, Fire and Rescue Reports represented by Terrie Altieri

Terrie Altieri moves to adopt the Police Dispatch Report for December 2022.

Maurina Collins seconds the motions and it carried with a 6-0 vote.

Terrie Altieri asks Solicitor Tom Reitz if The Village is required to adopt the reports because the Township does not adopt the reports. Solicitor Tom Reitz explains to Council that The Village is not acknowledging that it is correct but rather acknowledging that we received the reports.

Mayors Communication represented by Mayor Scott Garrett

Nothing to report due to Mayor Scott Garrett being Absent

Finance represented by Maurina Collins

Maurina Collins made a motion to approve the Fiscal Officer's expenditures for the month of December 2022 as reported. David Belknap seconded the motion and it carried by a 6-0 vote.

Maurina Collins made a motion to approve the all Funds Reconciled Bank Balance for December 2022 in the amount of \$2,222,768.03 as reported. Sherie Pennington second the motion and it carried by a 6-0 vote.

Maurina Collins made a motion to approve Temporary Appropriations. David Belknap second the motion and it carried by a 6-0 vote.

**RESOLUTION NO. 2023-1 A RESOLUTION AUTHORIZING A CONTRACT WITH THE PORTAGE COUNTY PUBLIC DEFENDER FOR DEFENSE OF INDIGENT PERSONS CHARGED WITH CRIMINAL OFFENSES UNDER THE VILLAGE ORDINANCES AND DECLARING AN EMERGENCY.**

Maurina Collins made a motion to suspend the rules. Davie Belknap second the motion and it carried by a 6-0 vote.

Maurina Collins made a motion to Approve RESOLUTION NO. 2023-1. David Belknap second the motion and it carried by a 6-0 vote.

Safety, Personnel, Rules (SPR) represented by Terrie Altieri

Terrie Altieri Acknowledges and Introduces The Villages New Administrator Maurice Hankins

**RESOLUTION NO. 2023-2 A RESOLUTION TO ESTABLISH AN EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY AND DECLARING AN EMERGENCY.**

Terrie Altieri made a motion to suspend the rules. Maurina Collins second the motion and it carried by a 6-0 vote.

There is some confusion with Council on what exactly RESOLUTION NO. 2023-2 is and asks Solicitor Tom Reitz for clarification. Solicitor Tom Reitz explains RESOLUTION NO. 2023-2 is the result of a law change. That we are establishing a policy to change from a Bond to an Insurance Policy. So The Village can fill out an application to see what the rates would be.

Terrie Altieri made a motion to Approve RESOLUTION NO. 2023-2. President Lawrence Cunningham second the motion and it carried with a 6-0 vote.

Utilities represented by David Belknap

**ORDINANCE NO. O-2022 – 13 AN ORDINANCE TO REVISE AND AMEND SECTION 921.01 OF THE VILLAGE OF WINDHAM UTILITY CODE TO ADJUST THE SEWER RATES FOR SEWER DISCHARGE TO THE MUNICIPAL SANITARY SEWER SYSTEM OF THE VILLAGE AND DECLARING AN EMERGENCY.**

David Belknap made a motion to suspend the rules. President Lawrence Cunningham second the motion and it carried with a 6-0 vote.

David Belknap made a motion to Approve ORDINANCE NO. O-2022 – 13. Maurina Collins second the motion and it carried with a 6-0 vote.

**ORDINANCE NO. O-2022 – 14 AN ORDINANCE TO REVISE AND AMEND SECTION 923.03 OF THE VILLAGE OF WINDHAM UTILITY CODE TO ADJUST THE WATER RATES FOR WATER PURCHASE FROM THE MUNICIPAL WATER SYSTEM OF THE VILLAGE AND DECLARING AN EMERGENCY.**

David Belknap made a motion to suspend the rules. Maurina Collins second the motion and it carried with a 6-0 vote.

David Belknap made a motion to Approve ORDINANCE NO. O-2022 – 14. Maurina Collins second the motions and it carried with a 6-0 vote.

Service Committee represented by Cheryl Belknap

Cheryl Belknap has been looking at the sidewalks on East Center St and North Main. Cheryl Belknap has called some companies. She will get quotes from the companies to get the information to the grant writers.

Economic Development represented by Lawrence Cunningham

President Lawrence Cunningham spoke with Jay, one of the grant writers. They are working on an AARP Grant that will help with park benches, gardens, murals, bike racks, and other little things. President Lawrence Cunningham told Jay to go ahead and work on that for now. We will know by March 15<sup>th</sup> if we are awarded the grant.

Parks and Recreation represented by Sherrie Pennington

Sherrie Pennington said she spoke with Tim Garland to get a quote on the drains for the ballfields.

Maurina Collins asked if ladies night out is still happening. Sherrie Pennington would like to discuss this at the next meeting.

Planning Commission represented by Maurina Collins

Maurina Collins approved Sheila Moore’s selling of a lot to her neighbors.

Zoning and Housing Reports presented by Nick Bellas and Damel Walker

Nick Bellas is working with Police Chief Rick Garinger to figure out how to enforce.

Damel Walker is trying to get more information from owners to get scheduled.

Last Chance for Council to speak on any subject

Nicole was wondering if her sidewalks could be included in the sidewalk grants. President Lawrence Cunningham said that due to the cost of material right now there will probably only be enough money for the main road to be done.

Maurina Collins has received the employee handbook back from Solicitor Tom Reitz and she is making the requested adjustments to that. Hoping to have done by the end of February.

Fiscal Officer Katrina Washington informed Council that the Portage County Planning Commission would like to come in and give the Council a presentation. It will not take much to get the Comp Plan updated. The Village currently has sixty (60) hours of technical assistance time that could be put towards a new Comp Plan. Those hours could be expanded up to ninety (90) hours once we expand into 2023. Sent an email asking what his availability is and if he could come before one of the meetings.

Rodger Brown has a blocked ditch on property due to a collapsed culvert on the adjacent property. When there are heavy rains the culverts over flow so bad that the water is coming into his basements. Other neighbors are experiencing issues with flooding and water problems as well. Administrator Maurice Hankins will go out and take a look at it.

David Belknap asks if we can put a leaf pickup system in place. We could probably build one ourselves like Garrettsville did. President Lawrence Cunningham is ok with the idea, but we need to keep cost in mind.

February Meetings

Committee Meeting Tuesday February 7, 2023 at 6:00 pm

Council Meeting Tuesday February 28, 2022 at 6:00 pm

Solicitor Report represented by Tom Reitz

Requests an Executive Session to discuss Imminent Litigation and Personnel.

President Lawrence Cunningham made a motion to enter Executive Session. Invite all of Council, Administrator and Village Solicitor to discuss personnel matters and Imminent Litigation. David Belknap second the motion and it carried by a 6-0 vote.

Note: Clerk of Council Katrina Washington was not present when Council came out of Executive Session.

Respectfully Submitted,

Attest,

\_\_\_\_\_  
Katrina Washington  
Clerk of Council

\_\_\_\_\_  
Scott Garrett  
Mayor

**\*NOTE: THESE MINUTES ARE A SUMMARY BY DIRECTION OF COUNCIL\*  
All Council and Committee Meetings will be held in Windham Council Chambers,  
unless otherwise noted**