

## Minutes of Regular Council Meeting

Held July 30, 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 – absent Phil Snyder – present  
Terrie Altieri – present Cindy Cale – present  
Cheryl Taylor – present Stacy Brown – present

Also present were: Tom Reitz, Tom Brett, Debbie Blewitt, Tommy Douglas, William Albright, Donald Keaugh, Patty Keaugh, Noreen Siegner, Ernest Siegner, Taylor Baker, Jim Moore, Lawrence Cunningham, and Eric Breiding.

Mr. Snyder made a motion to approve the minutes of the June 25, 2019 Regular Council Meeting, which was seconded by Mrs. Taylor and carried by a 5 – 0 vote.

Mr. Snyder made a motion to approve the minutes of the July 9, 2019 Special Council Meeting, which was seconded by Mrs. Altieri and carried by a 5 – 0 vote.

Elizabeth Derthick gave the Financial Reports as follows: The Income Tax collected year to date June 30, 2019 was \$287,365.27. The expenditures for the month of June 2019 were \$230,942.72 in checks and charges. Check numbers 35233 through 35313 were paid from the primary checking account during June 2019 with one check, number 35247, voided during the month. Direct Deposit Vouchers 299-2019 through 326-2019 and 330-2019 through 348-2019 were also paid during the month of June 2019. The all funds reconciled balance for June 2019 was \$1,637,068.50.

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

Dispatchers Police, Fire and Rescue Reports for June 2019 by Mrs. Taylor – Mrs. Taylor made a motion to accept the Police, Fire and Rescue Reports for June 2019, which was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Mayor's Communication by Scott Garrett – Mr. Garrett said he would like to thank the Parks and Recreation Committee for all their hard work on the upcoming Car Show and Octoberfest.

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 June 2019 as reported. Ms. Brown seconded this motion and it carried by a 5 – 0 vote.

Mrs. Altieri made a motion to approve the all funds reconciled bank balance for June 2019 in the amount of \$1,637,068.50 as reported. Ms. Brown seconded the motion which carried by a 5 – 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 second read.

Mrs. Altieri read motion, second, and vote to eliminate estimated quarterly payments for municipal income tax. Mr. Reitz said before there is a second, he wanted to say that in the Village's Codified Ordinance, section 182.07 (c), it states that quarterly payments are required and Council can amend that but the code has to be changed and cannot be changed through a motion vote. Mrs. Altieri said that Cheree Taylor should call Tom Reitz and discuss this with him. This motion will be tabled until further discussion.

Safety, Personnel, Rules (SPR) by Phil Snyder

Mr. Snyder read Ordinance O-2019-11 **AN ORDINANCE AMENDING SECTION 155.02 VACATIONS**. This was a second read.

Mr. Snyder made a motion to hire a full-time Street Department employee and move Tyler Pennington to the Sewer Plant full-time, which was seconded by Mrs. Altieri. This motion carried by a 5 – 0 vote.

Mr. Snyder made a motion to move Derek Garner to part-time Police Officer, which was seconded by Mrs. Altieri. This motion carried by a 5 – 0 vote.

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

Service Committee by Stacy Brown

Ms. Brown read Ordinance O-2019-14 **AN ORDINANCE AUTHORIZING A CONTRACT WITH BARRICAS CONSTRUCTION COMPANY, INC. FOR THE VILLAGE OF WINDHAM, 2019 STREET RESURFACING PROJECT, IN PORTAGE COUNTY, OHIO AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Mr. Snyder and carried by a 5 – 0 vote. Ms. Brown made a motion to adopt Ordinance O-2019-14, which was seconded by Mrs. Altieri and carried by a 5 – 0 vote.

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

Parks and Recreation by Cheryl Belknap – Mr. Snyder said he wanted to remind everyone that the Village's second annual Car Show will be Saturday, August 10, 2019 from 12:00 p.m. to 4 p.m.

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

Solicitor's Report by Tom Reitz

Mr. Reitz said the case of the Village of Windham vs. Elmer Owens has been resolved. A mediation was attended on July 15, 2019 and Mr. and Mrs. Owens attorney was able to convince the Owen's to take some actions that they previously declined to take for the last five years. The court has found that the Owen's property on North Main Street is a public nuisance, Mr. Owens has 30 days to transfer the property to an individual of his choosing and if he doesn't transfer the property then the property will be turned over to the Portage County Land Bank. If the Land Bank cannot accept this property, then the Village would become the owner of the property. Regardless of who owns the property, the said owners have 90 days to become compliant with the court order. Mr. Douglas asked Mr. Reitz what is going on with his Horn Road Property because he been looking at that mess for years. Mr. Reitz said Mr. Owens has been convicted of owning a nuisance property at his home address several times now. Mr. Reitz said the Village will continue to pursue action for the Horn Road address, however it is a timely process. Mr. Snyder said he appreciates Mr. Douglas' concerns but there are procedures that the Village has to follow and unfortunately these do take some time.

Mr. Garrett 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 Mr. Snyder and carried by a 5 – 0 vote at 7:24 p.m.

Mr. Snyder made a motion to return from executive session. This motion was seconded by Mrs. Cale and carried by a 5 – 0 vote at 7:55 p.m.

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.

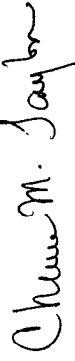
Last Chance of Council to Speak on Any Subject – Tom Brett asked to have a key for the Administration Door so that he is able to disarm the alarm when he comes in after hours and on the weekends and no one had any objections. Mrs. Cale said we need to have a Special Council Meeting to set up a Public Hearing for the NDS Senior Project. The Council discussed the options for this. Mr. Reitz said he is not sure if you can pass a change in Zoning on an emergency basis, but he will check into it by looking into the Ohio Revised Code. If there is a conflict then Mr. Reitz will send a memo to Council. Council decided to go ahead with the

rezoning for the NDS project even if it is after the deadline unless they hear otherwise from Mr. Reitz.

Council looked at the calendar for July. The Committee meetings (Parks & Recreation and Committee of the Whole) will be Tuesday, August 13, 2019 at 6:00 p.m. The Council Meeting will be Tuesday, August 27, 2019 at 7:00 p.m. There will be a Planning Commission meeting on August 27, 2019 at 6:30 p.m. There will be a Parks & Recreation Workshop on Thursday, August 8, 2019 at 6:00 p.m. There will be a Special Council Meeting Thursday, August 1, 2019 at 5:45 p.m.

Mr. Snyder made a motion to adjourn the meeting which was seconded by Mrs. Altieri and by unanimous vote the meeting was adjourned at 8:22 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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