

Village of Windham Ohio
Minutes of Council Meeting

Held January 23, 2018

At 7:00 p.m. The Honorable Mayor Deborah Blewitt called the meeting to order and led in the pledge of allegiance to the flag of our country.

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

Also present were: Thomas Reitz, Tom Brett, Eric Breiding, Cindy Cale, Larry Kuhlman, Jim Moore, Rose Lockney, Richard Lockney, Sherry Guy, Ryan Wagner, Tommy Douglas, Patty Moore, Kay Friend, Brandon McPherson, Ted DeSalvo, Colleen DeSalvo, Robert Spatney, Robert Ricket, Marian Ricket, Randy Wheeler, and Anne Parisi.

Mr. Garrett made a motion to approve the minutes of the December 19, 2017 Regular Council Meeting, which was seconded by Mrs. Taylor and carried by a 5 – 0 vote.

Mr. Garrett made a motion to approve the minutes of the January 9, 2018 Special Organizational Meeting, which was seconded by Mrs. Taylor and carried by a 5 – 0 vote.

Fiscal Officer Taylor gave the Financial Reports as follows: The Income Tax collected year to date December 31, 2017 was \$438,419.92. The expenditures for the month of December 2017 were \$172,976.67 in checks and charges. Check numbers 33754 through 33861 were paid from the primary checking account during December 2017 with checks, number 33158 and 33806, voided during the month. Direct Deposit Vouchers 644-2017 through 669-2017, 674-2017 through 702-2017, and 705-2017 through 728-2017 were also paid during the month of December 2017. The all funds reconciled balance for December 2017 was \$1,418,254.48.

Village Council President's report by Scott Garrett – Mr. Garrett said he was very pleased with electronic sign by the Fire Department and it should be applauded for the great cooperation between the school system, the Township, and the Village. Mr. Garrett said on sadder note, Baxter Jones, a fellow classmate and one of the great basketball players to come out of Windham, passed away this weekend from cancer. Mr. Garrett said Baxter Jones was a two time all-state basketball player and he will certainly be remembered.

Dispatchers Police, Fire and Rescue Reports for December 2017 by Mrs. Taylor – Mrs. Taylor made a motion to accept the Police, Fire and Rescue Reports for December 2017, which was seconded by Ms. Brown and carried by a 5 – 0 vote.

Mayor's Communication by Deborah Blewitt – Mayor Blewitt said she would reserve her comments until the end of the meeting.

Prior requests of guests to speak – Rose Lockney said she has problems with her neighbors and the Police Department gave her a paper on December 23, 2017 and said one of the Council members turned her in for her dirty pad. Mayor Blewitt asked what a dirty pad was. Mrs. Lockney said she scraps metal. Mrs. Lockney said she wanted to know which Council member turned her in. Mayor Blewitt said she didn't think it was a Council member; it was probably the Zoning Inspector, because he looks for violations. Mrs. Lockney said she had made a complaint about her neighbor, Lisa Miller on December 9, 2017 and she was presented with her letter on the 23rd, so she believes this letter was given to her because she reported her neighbor. Mr. Garrett asked Mrs. Lockney for her address. Mayor Blewitt said the notice was from Jim McNicholas, one of our Police Officers. Mayor Blewitt explained that the Zoning Inspector reports violations to the Police Department and Jim McNicholas delivers these violation letters. Mayor Blewitt said there are multiple violations in the Village and they are trying to clean it up. Mrs. Lockney said she has never had one of these violation letters until she tried to press charges on her neighbor. Mr. Garrett said one has nothing to do with the other and Mayor Blewitt agreed. Chief Breiding said Mrs. Lockney's was one of thirteen notices that were issued that day based on complaints that were made. The Police Chief said that those property owners that have cleaned up, nothing further has been done, however the few that haven't cleaned up their properties have been filed with the court. Mr. Garrett said the confusion might be that it is an Ordinance passed by Council, and Chief Breiding confirmed that it was a resident of the community who made the complaint. Mayor Blewitt reiterated to Mrs. Lockney

that her complaint about her neighbor had nothing to do with the violation letter she received and if the Police Department receives a complaint they have to investigate it and take the appropriate action. Mrs. Lockney said her neighbors sick their dogs on her and Mayor Blewitt said that she needs to file a Police report for that and the Police Chief would be more than glad to do that because he did address the complaint Mrs. Lockney had about kids taking her wood fence, however the Prosecutor is not willing to prosecute an 8 and 10 year old. Mrs. Lockney asked why the Prosecutor didn't go after the parents. Chief Breiding said in order to prosecute the parents; it has to be proved that the parents told the kids to tear down the fence. The Chief said the parents were warned to tell the kids to stop and there have been no further complaints since then. Mrs. Lockney said she feels she is not going to get any results from the Village Police Department. Chief Breiding said that is not true because he said he talked to Mrs. Lockney and said they presented the case to the Prosecutor and when the Prosecutor declines to press charges, there is nothing else the Village Police Department can do. Solicitor Reitz then explained again to Mrs. Lockney that the Police Chief brought the matter to the Prosecutor and the Prosecutor chose not to prosecute. Mr. Garrett said again that Council put a Police Officer in charge of zoning violations in which people need to clean up their property because there have been so many complaints and Mrs. Lockney's property was not the only one; there were twelve other complaints that went out about cleaning up properties. Mr. Garrett explained again that Council did make the Ordinance that people with junk on their property are in violation of the zoning code, however there was no one particular Council member that made the complaint against Mrs. Lockney and in fact that Ordinance applies to anyone in the Village that is in violation of having junk on their property.

Colleen DeSalvo spoke on behalf of her husband Ted DeSalvo. Mrs. DeSalvo asked why there was handicapped parking in front of the Administration building. Ms. Belknap said it was because it has to be accessible to handicapped people. Mrs. DeSalvo asked what would happen if a non-handicapped person were to park in these areas or if a delivery person were to park in that spot. Chief Breiding said that someone delivering something to the offices may pull off to the side next to the handicapped parking spots, however they are only there for two minutes and there is always a handicapped parking spot available. Mrs. DeSalvo then shared with the Council and residents the causes and symptoms of Multiple Sclerosis and the symptoms that her husband has because of MS. Mrs. DeSalvo said this is why her husband had ducks, because it helped with his anxiety, stress, and depression. Mrs. DeSalvo said as her husband's flock of ducks increased, he got eggs and would give the eggs to other residents in Windham who were on a tight budget and he took eggs to the Center of Hope in Ravenna. Mrs. DeSalvo said when her husband received the notice that he had to get rid of the ducks, it increased his sadness and depression and he had to find another home for the ducks. Mrs. DeSalvo said her husband decided he wanted to fight to get the ducks back and his doctor and eye doctor wrote letters explaining how important the ducks are to him. Mrs. DeSalvo said the Disability Rights of Ohio and the federal law of the Fair Housing Act require villages, like Windham, to make reasonable accommodations in land policies where there is a disability in need. Mrs. DeSalvo said her husband contacted Mayor Blewitt two times before going to the media. The first time was to ask if he could sit down with the Mayor and the Village Solicitor and talk and the Mayor said she could not promise a time because she also works another job. The second time her husband spoke with the Mayor and asked if she had an answer from the Village Solicitor and the Mayor told him no and Mr. DeSalvo told the Mayor that if he didn't hear back from her with an answer by Friday, he would contact the media. Mrs. DeSalvo said when her husband did not receive a phone call back from the Mayor that Friday; he went to the Record Courier about the ducks. The next day, Fox 8 news came to his house and he told the story to them. Mrs. DeSalvo said she and her husband and many others who have signed an on-line petition, feel that there are bigger things to be concerned about in Windham, besides a disabled man with 14 ducks. Mrs. DeSalvo said her husband is asking to have 6 ducks (8 less than before), which helps him with his depression, anxiety, and stress that is caused by the MS. Mayor Blewitt agreed that there were multiple phone calls between her and Mr. DeSalvo. Mr. DeSalvo said his wife was trying to say that he called two times before going to the media and Mayor Blewitt agreed. Mayor Blewitt said she informed Mr. DeSalvo what the current Ordinance states, for the Village of Windham and maybe there was a way to get the Ordinance changed. Mayor Blewitt told Mr. DeSalvo, that in all fairness, until there was a complaint about the ducks, the Village of Windham never bothered him about the ducks. The Mayor said she had to make sure that lawfully the Ordinance could be changed and that takes time to make those changes. The Mayor assured Mr. DeSalvo that this issue has been discussed with Council and everyone is sympathetic to the fact that he has MS. The Mayor said if there is a complaint, then the Village has to set precedence and follow up on that complaint. Mr. DeSalvo said that is the Village law and according to the State of Ohio, Federal law will supersede. Mrs. DeSalvo said there are other Village residents that are violating this Ordinance and Mr. DeSalvo said on 303 there is a violation. Ms. Belknap said this is Scott Barber and she said he can put the chickens on the

grandmother's property because it is at least five acres. Mayor Blewitt said they will check into that and make sure the chickens are legal. Tom Brett confirmed that Mrs. Roth owns more than five acres of land. Mr. DeSalvo said those chickens are right by the house and there is no fence and his yard is fenced in so the ducks could not go on other people's property. Mayor Blewitt said the original complaint was about the smell, not the ducks being on someone else's property. Robert Spatney said he cuts grass for Mr. DeSalvo and those ducks help out with his depression also. Mayor Blewitt said no one is disputing that these ducks help with depression. Mayor Blewitt said she thought if Mr. DeSalvo had come to Council and explained his circumstances and said he wanted to have a couple of ducks, no one would have had a problem with that. Ms. Belknap said it stated in the paper that Mr. DeSalvo has access to see the ducks at any time. Mr. DeSalvo explained that he can go see them, but when they can't go home with him, that depresses him. Mr. DeSalvo said ducks imprint and when he sees them they want to follow him home. Mr. Garrett tried to talk and said Council still needed to talk with the Solicitor. Mr. DeSalvo said there has been time to talk to legal and he wants an answer. Mr. DeSalvo said if he takes this matter to an attorney, they can win the case and it will be for one animal, and it will be a goat or whatever animal he chooses. Mr. Garrett said he was sympathetic to Mr. DeSalvo and asked if there was a number under six that he would be acceptable to. Mr. DeSalvo said that ducks will not be communal unless there are at least six and that is his reasoning for having six. Mr. DeSalvo said he would agree to three ducks. Mr. DeSalvo said he wants ducks and if he doesn't get ducks, he will go to an attorney, and the law allows one emotional support animal, and he will get whatever animal he wants and the law will protect him. Solicitor Reitz said he understands that Mr. DeSalvo is looking for an answer this evening and the law states that it is a crime for him to have ducks on his property, and Mr. Reitz said he is not suggesting that Mr. DeSalvo will be prosecuted. Mr. Reitz said Mr. DeSalvo has not made a proposal to the Housing official or the Police Department, but if he has a proposal he would like to be considered he should submit it in writing and Mr. Reitz would be happy to meet with Mr. DeSalvo and try and work out some middle ground that would allow Mr. DeSalvo to have the therapy ducks. Mr. DeSalvo said he did request to sit down with the Mayor and Mr. Reitz in the beginning and Mr. Reitz told Mr. DeSalvo that, that request did not reach him. Mr. DeSalvo said that was the Mayor's fault and he also called a second time to request a meeting with the Mayor and Mr. Reitz and that didn't happen either. Mr. Reitz told Mr. DeSalvo if he doesn't wish to talk about it anymore, then they will respect his wishes. Mr. DeSalvo said he wants to talk about it, but when he wanted to make a date, he was put off. Mayor Blewitt told Mr. DeSalvo that her position as Mayor is part-time, but she is not making excuses, and she told Mr. DeSalvo that she would check into it as soon as he called her and every paper that he has sent from the Cleveland Clinic and anywhere else has been forwarded to Mr. Reitz. Mr. Reitz said, had he known that Mr. DeSalvo was going to be at the meeting, he would have had those papers with him. Mr. DeSalvo said he was on Facebook and said he was coming. Mayor Blewitt said that is not the same thing as being asked to be put on the agenda. Mayor Blewitt said to come to the office or call the office and say you want to be put on the agenda. Mr. DeSalvo said Ms. Moore knew he was coming. Ms. Moore said she did not know that Mr. DeSalvo was coming until about 4:00 p.m. and she couldn't put him on the agenda then. Mr. Reitz said no Council person can put anyone on the agenda. Mr. DeSalvo said he notified Ms. Moore on January 16, 2018. Mr. Reitz again said that Ms. Moore does not set the agenda, you either have to talk to the Fiscal Officer or the Mayor and asked to be put on the agenda and the deadline is the Thursday before the Council meeting. Ms. Moore said you cannot make a formal request on Facebook. Mr. DeSalvo said he saw on Facebook where there were quite a few people that were fine with his ducks that signed the petition. Mr. Reitz said there was also a neighbor that filed a complaint and Mr. DeSalvo said he wanted to know who that was. Mr. Reitz said that maybe the name would be released and maybe it wouldn't and Mr. DeSalvo said he needed to know the name of the neighbor or he was going to file suit. Mr. Reitz told Mr. DeSalvo if he needed to file a suit, then he should file it. Mr. Reitz said that currently it is a crime for Mr. DeSalvo to own ducks and based on Mr. DeSalvo's request he is asking Council to change that law. Mrs. DeSalvo said this was also based on the Ohio Disabilities Act. Mr. Reitz said the DeSalvo's were drawing conclusions, based on the Ohio Disabilities Act that he's not sure he shares. Mr. Reitz said he is not saying that the DeSalvo's are wrong, but he is not saying that they are absolutely right because he has looked at this and he is not sure that six ducks falls under this act. Mr. Reitz told the DeSalvo's that he was not going to horse trade with them in a public forum, but if they would like to make an appointment, Mr. Reitz and the Mayor would be happy to meet with them. The Mayor said, had the DeSalvo's approached Council and asked about having the ducks from the beginning, we probably wouldn't be here now, but she said they'll figure out a way to move forward. Mr. Garrett told Mr. DeSalvo that he has been a life-long resident of Windham and no one wants to see him suffer any more than he has to and if there is a way to make this work, Council will look into it. Ms. Moore agreed with Mr. Garrett. Mr. Reitz, the Mayor, and the DeSalvo's set up an appointment for the following week to discuss this on January 31, 2018. Ms. Moore

asked what Federal Law the DeSalvo's were talking about. Mr. DeSalvo said it's the Fair Housing Act and he showed her the Disability Rights Ohio. Ms. Moore said people are more open to making more rules for people that benefit from these therapy animals and Mayor Blewitt said she doesn't think it's the ducks that we're opposed to; it's the number of ducks. Mr. DeSalvo said he needs to know which neighbor complained because maybe they won't be okay with three ducks and Mr. Reitz said that is something that they will discuss next week, because they want to accommodate Mr. DeSalvo, but also not raise the dissatisfaction of the neighbors. Sherry Guy said that she was glad that Council was willing to work with Mr. DeSalvo and she actually took some of Mr. DeSalvo's ducks for him and when she went to get them their yard was well maintained and did not smell. Ms. Guy said the Village ordinance refers to farm animals and these ducks are not farm animals, they are pets and they will eat from your hand.

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officer's expenditures for the month of December 2017 as reported. Mrs. Taylor 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 December 2017 in the amount of \$1,418,254.48 as reported. Ms. Moore seconded the motion which carried by a 5 – 0 vote.

Mr. Garrett read Ordinance O-2018-1 **BEING AN ORDINANCE AUTHORIZING TRANSFERS AND APPROPRIATIONS FOR THE VILLAGE OF WINDHAM AS SET FORTH BELOW AND DECLARING AN EMERGENCY.** and made a motion to suspend the rules, which was seconded by Mrs. Taylor and carried by a 5 – 0 vote. Ms. Moore had an issue with the wording in the Ordinance that included the Finance Committee recommending this to Council. Mr. Reitz said that Council can remove the phrase "and Finance Committee" by a motion vote. Mr. Garrett made a motion to amend the Ordinance by removing "and Finance Committee", which was seconded by Ms. Brown and carried by a 5 – 0 vote. Mr. Garrett made a motion to adopt Ordinance O-2018-1 as amended, which was seconded by Ms. Brown and carried by a 5 – 0 vote.

Mr. Garrett read Ordinance O-2018-2 **AN ORDINANCE APPROVING THE CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES AVAILABLE FOR EXPENDITURES, AND BALANCES FOR DECEMBER 31, 2017 FOR THE VILLAGE OF WINDHAM, AND DECLARING AN EMERGENCY.** and made a motion to suspend the rules, which was seconded by Mrs. Taylor and carried by a 5 – 0 vote. Mr. Garrett made a motion to adopt Ordinance O-2018-2, which was seconded by Ms. Moore and carried by a 5 – 0 vote.

Mr. Garrett read Resolution R-2018-2 **A RESOLUTION AUTHORIZING THE INTERNET SALE OF UNNEEDED, OR UNFIT, OR OBSOLETE PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES AND EQUIPMENT OWNED BY THE VILLAGE OF WINDHAM.** and made a motion to suspend the rules, which was seconded by Ms. Belknap and carried by a 5 – 0 vote. Mr. Garrett made a motion to adopt Resolution R-2018-2, which was seconded by Ms. Brown and carried by a 5 – 0 vote.

Mr. Garrett read Ordinance O-2018-3 **AN ORDINANCE AUTHORIZING THE ADVERTISING FOR SALE 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. Mr. Garrett made a motion to adopt Ordinance O-2018-3, which was seconded by Mrs. Taylor and carried by a 5 – 0 vote.

Safety, Personnel, Rules (SPR) by Stacy Brown

Ms. Brown read Resolution R-2018-4 **A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH ADT SECURITY SERVICES TO PROVIDE MONITORED SECURITY FOR THE VILLAGE MUNICIPAL CENTER 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. Mr. Reitz asked Chief Breiding why the contract didn't have any numbers filled in. Chief Breiding explained that at the time he sent the contract to Mr. Reitz, it was still undecided as to what services the Village was going to get, however after the decision was made, he provided all Council Members with the final numbers. Ms. Brown made a motion to adopt Resolution R-2018-4, which was seconded by Mrs. Taylor and carried by a 5 – 0 vote.

Ms. Brown made a motion to enter into executive session to discuss hiring part-time personnel, which was seconded by Mrs. Taylor and carried by a 5 – 0 vote at 7:53 p.m.

Ms. Brown made a motion to return from executive session, which was seconded by Mr. Garrett and carried by a 5 – 0 vote at 8:00 p.m.

Utilities by Cheryl Taylor

Mrs. Taylor read Resolution R-2018-1 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER TO MAKE THE FOLLOWING TRANSFERS BETWEEN THE WATER AND SEWER OPERATING FUNDS, RESPECTIVELY, AND THE RESPECTIVE DEBT SERVICE AND DEBT SERVICE RESERVE FUNDS TO MEET CALENDAR 2018 DEBT SERVICE REQUIREMENTS 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. Mrs. Taylor made a motion to adopt Resolution R-2018-1, which was seconded by Mr. Garrett and carried by a 5 – 0 vote.

Mrs. Taylor read Resolution R-2018-3 **A RESOLUTION AUTHORIZING AN AGREEMENT FOR DESIGN PROFESSIONAL SERVICES AND CONSTRUCTION ADMINISTRATION WITH BURGESS & NIPLE AND DECLARING AN EMERGENCY.** and made a motion to suspend the rules, which was seconded by Ms. Brown which was carried by a 5 – 0 vote. Mrs. Taylor made a motion to adopt Resolution R-2018-3, which was seconded by Mr. Garrett. Ryan Wagner explained to Council that this is to retain Burgess & Niple as the engineer for the Phase II Improvement Grant and this has to be started by July 2018. This is the grant that includes 30 fire hydrants, a portion of East Center water line, and additional upgrades to the Water Plant. This motion to adopt was carried by a 5 – 0 vote.

Service Committee by Mr. Garrett – Mr. Garrett had nothing at the time.

Economic Development by Sheila Moore – Ms. Moore said she was going to look back through last year's Committee Meeting minutes to see where we were on things. Ms. Moore said she was at meeting and met Drew Renacci (his father is running for Congress) and she spoke with him about Windham and how much we look forward to and need help from the Congressmen at any time. Ms. Moore said she attended a meeting in Warren, legislators and lattes, where Mr., Renacci was present via skype. Ms. Moore said the reason she went to this was because the topic was the Missile Defense System. Ms. Moore said Mr. Renacci gave some updates on the Missile Defense System, which included the Ravenna location cleaning up some paperwork, which they did. Ms. Moore said Mr. Renacci's concern was that Mr. Shumer is from New York, but Ms. Moore said she told Mr. Renacci that Windham once held high regard for WWII and that we were still feeling the effects of that, in that they were here and then they left, and even if we don't get the missile site please don't forget us. Ms. Moore said she met other Mayors from surrounding areas, and she talked to Newton Falls because they also supply water and maybe there can be some collaboration when it comes to the Arsenal. Ms. Moore said she went to the Renaissance Center to see about the free clinic and Mena Hankins wants to volunteer her time as a nurse there and there is also going to be a free dental clinic there. Mayor Blewitt said she ran into Bill McDowell, who was interested in opening the market with the Food Source Program, and he told the Mayor he is still interested in opening a market and would like to speak with NDS. The Mayor said she will get Ms. Moore his number. Mr. McDowell said he wants to explore the educational aspect of the market by training meat cutters there and that may open up a different avenue of funding.

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

Planning and Zoning by Deborah Blewitt – Mayor Blewitt said we've been calling it Planning and Zoning and in reality we should have a Planning Commission and a Zoning Board of Appeals. The Planning Commission would make decisions involving changes in zoning. The Mayor asked if because we have not been doing things properly, with a Planning Commission, do we have to redo any zoning changes that were made. Mr. Reitz said no, those zoning changes are done and complete because it has been more than two years. Mr. Reitz said that the Village of Windham needs to establish a Planning Commission according to the Ohio Revised Code, Section 713.01. Mr. Reitz said the Planning Commission should consist of five members including: the Mayor, one member of Council (elected by Council), three residents of the Village to be appointed by the Mayor (for terms of six years each, without compensation). Mr. Reitz suggested Council elect their member and the Mayor make her appointments in order to

establish the Planning Commission correctly. Mr. Garrett asked if the three appointments by the Mayor could be Township and Mr. Reitz said no, they have to be Village residents, and they could be Council members, but Mr. Reitz said to try not to do that unless it is absolutely necessary. Mr. Reitz said that the Planning Commission consists of five members, but a quorum is three members in order to conduct business and all three members have to be in attendance and in order to pass anything all three members have to vote yes. The Mayor appointed Cindy Cale and Larry Kuhlman to the Planning Commission. The Council appointed Sheila Moore to the Planning Commission by unanimous vote. Mrs. Cale asked if she was able to serve on the Planning Commission because she is a Village employee and Mr. Reitz said yes because it is an unpaid position. Mr. Reitz said there are some things that are mixed and matched in the Village's current Zoning Code, which refers to a Planning Commission, a Planning Board, and a Zoning Board of Appeals. Mr. Reitz said the correct way for it to be set up is to have a Planning Commission and they review applications to consolidate a Plat and approve those applications. Mr. Reitz said there is a Plat consolidation coming up for Jim Moore. Ms. Moore asked if there was a conflict for her to vote on that consolidation and Mr. Reitz said no because she lives independently of her parents. Mr. Reitz said the Planning Commission also recommends changes to the Zoning Code. Mr. Reitz said the other body is the Zoning Board of Appeals, and this board is for people that are dissatisfied with the decision of the Planning Commission or the Zoning Inspector and they can appeal the decision. Mr. Reitz said he doesn't recommend leaving the Zoning Board of Appeals unstaffed and he will speak with the Mayor about this. The Mayor said she believes we have some people on that board. The Mayor said the Zoning Board of Appeals will be Kenneth Friend, Phil Snyder, and Brandon McPherson and Council approved this by unanimous vote.

Solicitor's Report by Tom Reitz – Mr. Reitz said January 16, 2018 the Portage County Board of Health to action on the property owned by Mr. Owens on North Main Street, they found the house to be a nuisance and it needs to be torn down. They gave Mr. Owens 30 days to do this. Mr. Reitz said on the 31st or 32nd day, he will obtain a search warrant for Tom Brett, the Building Department, the Fire Department, and the Health Department to go on the property and confirm whether Mr. Owens has brought his building into the conformity with the law and if he hasn't then Mr. Reitz will file a complaint with the Common Pleas Court to order the house to be demolished. Mr. Reitz said the other matter that he spoke to Council about last month in executive session last month is expected to be filed shortly.

Guest Recognition – Ryan Wagner said he wanted to let Council know that starting January 30, 2018 he will be starting classes for his Class 1 Sewer license, for the next 14 weeks. Ryan said he will provide Council with a full report and if they need anything, please put it in his box and he will take care of it. The Mayor asked Ryan to please provide anything that he would give to her also to Mrs. Taylor because she is the chair of the Utilities Committee.

Last Chance of Council to Speak on Any Subject – The Mayor asked Mr. Moore where we were at with his Plat consolidation. Mr. Moore said he will have the application in tomorrow and he would appreciate the Planning Commission meeting as soon as they can. The Planning Commission decided to meet Thursday, January 25, 2018 at 5:30. Mr. Reitz said that the Fiscal Officer has to post, no later than 24 hours before the Planning Commission Meeting, the date and time. Mr. Reitz suggested also putting the notice on the electronic sign in town and Mayor Blewitt said she would take care of that. Larry Kuhlman asked if he could have a copy of the responsibilities of the Planning Commission. Mr. Reitz said he could get that together for him. Mr. Reitz said there should be three items on the Planning Commission agenda for Thursday, January 25, 2018. These include a Plat consolidation and two parcels that need to be considered for rezoning. Ms. Moore asked if there needed to be a motion made for the Council Members to attend the training session they discussed. Mr. Reitz said it was a good idea. Ms. Moore made a motion for the Fiscal Officer to write a check for the newly elected Council Training Series for all six Council Members Saturday, March 24, 2018 in Independence. Ms. Brown seconded this motion and it carried by a 5 – 0 vote. Fiscal Officer Taylor clarified with Mr. Reitz that the Planning and Zoning Committee would be no longer on every first Tuesday of the month and the Planning Commission and the Zoning Board of Appeals would only hold a meeting if there was a matter that needed to be discussed or there was an agenda item. Mr. Reitz said he doesn't recommend a standing meeting date for the Planning Commission and the Zoning Board of Appeals, but instead the meetings should be as needed. Mr. Reitz said he actually wants to ask to Mayor to fix the Village Code to make it more consistent. The Mayor said yes and the rest of the Council agreed. The Mayor thanked Ms. Moore for the name plates. Tom Brett asked when he should give his monthly report. The Mayor said this should be done at the Council Meeting and the Fiscal Officer said she would replace the Planning and Zoning Committee with the Zoning Report by Tom Brett. Mr. Reitz said if there is any action that

needs to be taken by the Planning Commission or the Zoning Board of Appeals, then Mr. Brett should make this known in his report.

Council looked at the calendar for January. The Committee Meetings will be Wednesday, February 7th, 2018 at 7:00 p.m. and Tuesday, February 13th, 2018 at 6:00 p.m. The Council Meeting will be Tuesday, February 27th, 2018 at 7:00 p.m. Tom Brett asked if there was still a Regional Planning meeting in February. The Mayor said yes, she thinks so, but she will call Todd Peetz tomorrow to confirm that date.

Mrs. Taylor made a motion to adjourn the meeting which was seconded by Ms. Brown and by unanimous vote the meeting was adjourned at 8:42 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.