

Village of Windham Ohio

Minutes of Regular Council Meeting

Held January 22, 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: Patty Moore, Kay Friend, Tom Reitz, Eric Breiding, Debbie Blewitt, Elizabeth Derthick, Jim Moore, Tim Turner, Tyler Turner, and Tom Brett.

Mr. Snyder made a motion to approve the minutes of the December 18, 2018 Regular Council Meeting, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mrs. Altieri made a motion to approve the minutes of the January 8, 2019 Organizational Meeting, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Fiscal Officer Taylor gave the Financial Reports as follows: The Income Tax collected year to date December 31, 2018 was \$421,568.48. The expenditures for the month of December 2018 were \$210,914.26 in checks and charges. Check numbers 34740 through 34857 were paid from the primary checking account during December 2018 with check number 34668, voided during the month. Direct Deposit Vouchers 724-2018 through 750-2018 and 753-2018 through 777-2018 were also paid during the month of December 2018. The all funds reconciled balance for December 2018 was \$1,468,711.52.

Village Council President's report by Mr. Snyder – Mr. Snyder said all Council members should have received their committee assignments. There will be one change, Stacy Brown will be removed from the Utilities Committee and she will be replaced with Cheryl Belknap.

Dispatchers Police, Fire and Rescue Reports for December 2018 by Mrs. Taylor – Mrs. Taylor made a motion to accept the Police, Fire and Rescue Reports for December 2018, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Mayor's Communication by Scott Garrett – Mr. Garrett said the Police and Street Department did a wonderful job during the last big snow storm. The Police made sure there were no cars parked on the roads and the Street Department did an excellent job of keeping the roads cleared. Mr. Garrett commended Debbie Blewitt and everyone that helped with the EPA report because there was a \$25,000/day fine for every day that was late and Debbie and her team got this report in on time.

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 December 2018 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 December 2018 in the amount of \$1,468,711.52 as reported. Mr. Snyder seconded the motion which carried by a 6 – 0 vote.

Mrs. Altieri read Ordinance O-2019-1 **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 Mr. Snyder and carried by a 6 – 0 vote. Mrs. Altieri made a motion to adopt Ordinance O-2019-1, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Mrs. Altieri read Resolution R-2019-1 **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 2019 DEBT SERVICE REQUIREMENTS 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. Mrs. Altieri made a motion to adopt Resolution R-2019-1, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Mrs. Altieri read Resolution R-2019-2 **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 Mr. Snyder and carried by a 6 – 0 vote. Mrs. Altieri made a motion to adopt Resolution R-2019-2, 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-2019-2 **AN ORDINANCE AMENDING THE NUMBERING FOR THE AUTOMATED SPEED ENFORCEMENT PROGRAM CHAPTER ESTABLISHED BY ORDINANCE 2018-22 AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Ms. Brown and carried by a 6 – 0 vote. Mr. Snyder made a motion to adopt Ordinance O-2019-2, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Utilities by Cheryl Taylor

Mrs. Taylor read Resolution R-2019-3 **A RESOLUTION AUTHORIZING A CONTRACT WITH ROBERT W. DONHAM, II, FOR ENGINEERING DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR THE CRITICAL INFRASTRUCTURE PROJECT (BAUER ROAD) AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote. Mrs. Taylor made a motion to adopt Resolution R-2019-3, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Service Committee by Stacy Brown

Ms. Brown made a motion to approve Scotchman Electric replacing the traffic lights to LED lights at a cost of \$3,830, which was seconded by Mrs. Altieri 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 is looking forward to getting some new ideas for Parks and Recreation for the new year.

Planning Commission by Scott Garrett

Mr. Garrett read Ordinance O-2018-29 **AN ORDINANCE AMENDING THE WINDHAM VILLAGE ZONING MAP BY REPEALING THE EXISTING MAP AND AUTHORIZING AND APPROVING A NEW MAP CHANGING THE ZONING CLASSIFICATION OF 9153 MAPLE GROVE ROAD AND OF 9486 COMMUNITY DRIVE FROM THE R-2 RESIDENTIAL ZONING DISTRICT TO C-1 COMMERCIAL ZONING DISTRICT.** This was a third read. Mr. Snyder made a motion to adopt Ordinance O-2018-29, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mr. Garrett read Ordinance O-2018-30 **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 ZONING DISTRICT.** This was a third read. Mr. Snyder made a motion to adopt Ordinance O-2018-30, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Solicitor's Report by Tom Reitz

Mrs. Taylor made a motion to enter into executive session to discuss pending litigation (Trish Fall case). This motion was seconded by Mr. Snyder and carried by a 6 – 0 vote at 7:15 p.m.

Mr. Snyder made a motion to return from executive session, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote at 7:45 p.m.

Guest Recognition – Jim Moore asked for clarification on the proposed fine for the Housing Rental License Fee. Mr. Garrett said the fine being proposed would be double the cost of the inspection fee. Mr. Garrett asked if everyone will have to pay that and Mr. Garrett said that has not gone into effect yet, it will be a change to our Housing Code. Mr. Garrett said the current Code says that the fine is \$50. Mr. Moore asked if anyone has had to pay the \$50 fine yet. Mr. Garrett said a list has been generated, but nothing has been filed yet. Mr. Moore asked if the Committees were going to have to have more meeting about this and Mr. Moore said yes, the meetings will begin in February 5, 2019. Tim and Tyler Turner said they have been rehabbing several houses in Windham and they are trying to improve the appearance of these properties, whether they are flipping them or renting them. Mr. Turner said to please call them if Council feels there is a building that needs to come down and they will come look at it. The Turner's left their business card.

Last Chance of Council to Speak on Any Subject – Mrs. Altieri suggested that going forward only the Committee members of the Committee that is in session should be sitting at the table. Mrs. Altieri feels like this would alleviate some confusion as to should be talked about. Mr. Snyder said he thinks this is a good idea because sometimes the people that are not on the Committee end up doing more talking than the actual Committee members and he said this was addressed some years ago and asked if Mr. Reitz remembered it. Mr. Reitz said this was addressed by a code change and this can be found in 121.01 subparagraph (k) and there was also a memo issued by Mr. Reitz and he will provide that to Council.

Council looked at the calendar for February. The Committee meetings will be Tuesday, February 5, 2019 and Tuesday, February 12, 2019. Safety, Personnel, & Rules will be moved to the February 5th meetings, just for the month of February. There will be a Planning Commission Meeting on February 19, 2019 at 5:30 p.m. The Council Meeting will be Tuesday, February 26, 2019 at 7:00 p.m.

Mrs. Taylor made a motion to adjourn the meeting which was seconded by Mr. Snyder and by unanimous vote the meeting was adjourned at 7:57 p.m.

Respectfully submitted,

Attest,

Cheree M. Taylor, Clerk of Council

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.