

# *Village of Windham, Ohio*

## *Minutes of Regular Council Meeting*

*Held on February 28<sup>th</sup>, 2023*

At 6:00 p.m. Mayor Scott Garrett called the meeting to order and led in the Pledge of Allegiance.

Roll Call:       Lawrence Cunningham – Present                               Sherri Pennington – Present  
                  Cheryl Belknap – Present   Terrie Altieri – Present  
                  Maurina Collins – Present   David Belknap – Present

Also present were: Village Administrator Maurice Hankins, Solicitor Tom Reitz, Zoning Inspector Nick Bellas, Police Chief Richard Garinger, Housing Inspector Damel Walker and some Village Residents

Prior requests of Guests to Speak to Council

Brandon Giovannone with MDI (current Website Designer). Brandon Giovannone was not present at the Council Meeting. Council President Lawrence Cunningham asks if Brandon Giovannone was supposed to attend the Council Meeting. Fiscal Officer Katrina Washington confirmed that he was supposed to attend the meeting. She sent him an email during the day reminding him, but did not get a response. David Belknap mentions that there are several residents complaining on Facebook that the website is not updated.

Council President Lawrence Cunningham opens the floor to Mayor Scott Garrett requests a motion to approve the Regular Council Meeting Minutes from January 24<sup>th</sup>, 2023.

Terri Altieri moved to approve minutes from the January 24<sup>th</sup>, 2023 Regular Council Meeting. Maurina Collins seconded the motion and it carried by a 5-0 vote. David Belknap sustained due to not seeing the emailed minutes and not reading the January 24<sup>th</sup>, 2023 Regular Council Meeting Minutes.

Financial Officer's Financial Reports by Fiscal Officer Katrina Washington

Income Tax collected Year to date January 31, 2023: \$43,490.24

The Expenditures for the month of January 2023: \$264,431.93 in checks and charges. Check numbers 38264, 38308, 38310, 38311, 38334, 38337 through 38361, 38364, and 38371 were paid from the primary checking account during January 2023 with 0 checks voided during the month. Direct Deposit Vouchers 1-2023 through 19-2023, 22-2023, 25-2023, 27-2023 through 55-2023, 126-2023, 133-2023, 135-2023, 137-2023, 143-2022, 148-2023 through 150-2023 were also paid during the month of January 2023. The all funds reconciled balance for January 2023 was \$2,086,645.08.

Old Business / Topics to discuss

Council agrees switching the Water and Sewer Rates need to be done. Fiscal Officer Katrina Washington informs Council that the Utilities Clerk will need an Ordinance stating that the Water and Sewer Rates are being switched. Mayor Scott Garrett asks Solicitor Tom Reitz to give The Village of Windham an Ordinance to flip the Water and Sewer Rates. Solicitor Tom Reitz says he can have that for The Village next month.

Village Council President Report represented by Council President Lawrence Cunningham

President Lawrence Cunningham informs Council that the Senior Home is done. They have an application on their website now.

Spoke with Mr. Carpenter at the Church of Nazareth. They are doing their Easter Egg Hunt on April 1, 2023. Police Chief Rick Garinger and Council confirms The Village's Easter Egg Hunt will be on April 8<sup>th</sup>, 2023 at the Park.

Council President Lawrence Cunningham says The Village needs to look into getting dumpsters for Spring Cleanup in April.

Mentions the school has a possible grant proposal that has to be submitted by government for sidewalks for the school. Will discuss further in the future.

Also informed Council of a grant that Fiscal Officer Katrina Washington and The Village's Utility Clerk forwarded to Council President Lawrence Cunningham. Unfortunately, we won't meet the deadline for at this time. Next time it comes back around though The Village should take advantage of it to possibly get generators.

Council President Lawrence Cunningham and Fiscal Officer Katrina Washington talked further about the Charge station. Everything should be done by the deadline. Only possible issue there needs to be a ramp right next to the charging station to ensure it is ADA Compliant.

Police, Fire and Rescue Reports represented by Terrie Altieri

Terrie Altieri moves to accept the Fire Board, EMT, and Fire Report for January 2023. David Belknap seconds the motions and it carried with a 6-0 vote.

Mayors Communication represented by Mayor Scott Garrett

Mayor Scott Garrett gives a shout out to Village Administrator Maurice Hankins. Who has made progress with the upstairs. It sounds like the county is saying The Village could completely gut the upstairs of the Administration Building, leave the stairs and put a lock on the existing door. This is a huge improvement from the requirements The Village was given previously.

Sherrie Pennington asks if The Village could restart Breakfast with the Mayor again. Possibly do Coffee and Donuts with the Mayor instead. Mayor Scott Garrett said it was a good thing in the past and is supportive of restarting that. Says the last Saturday of each month, starting in April.

Finance represented by Maurina Collins

Maurina Collins made a motion to approve the Fiscal Officer's expenditures for the month of January 2023 as reported. Terri Altieri 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 January 2023 in the amount of \$2,086,645.08 as reported. David Belknap second the motion and it carried by a 6-0 vote.

**Resolution No. 2023-02 AN EMERGENCY RESOLUTION TO AUTHORIZE THE SOLICITOR TO ACCEPT ON BEHALF OF THE VILLAGE THE MATERIAL TERMS OF PROPOSED SETTLEMENTS WITH ALLERGAN, CVS, TEVA, WALGREENS AND WALMART, ALL UNDER THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING 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. 2023-02. Cheryl Belknap second the motion and it carried by a 6-0 vote.

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

Terrie Altieri presented ORDINANCE NO. 2023-01 and did a First read

**ORDINANCE NO. 2023-01 AN ORDINANCE ESTABLISHING THE CURRENT VILLAGE OF WINDHAM EMPLOYEE HANDBOOK.**

Utilities represented by David Belknap

David Belknap informs Council that the New machine, John Deere 325G Skid Steer, was delivered. Water Superintendent Tony Blewitt used today to spread the gravel at the Administration Building. Council President Lawrence Cunningham asks if all workers were showed how to use it. David Belknap didn't know, but said he would ask. Police Chief Rick Garinger mentioned they are all planning to get together and do something together. David Belknap also said the new machine will not be used for salt.

Service Committee represented by Cheryl Belknap

Cheryl Belknap is working on getting contractors for sidewalks. A contractor suggested getting Hiram's specs and information for their new sidewalks they did recently. Cheryl Belknap shared with Council the measurements for North Main and Main Street on both sides of the road.

Economic Development represented by Lawrence Cunningham

Council President Lawrence Cunningham shares with Council that he thinks there needs to be a bigger sign at the park and the community center. Seems like a lot of people miss those locations a lot. The School should be able to help get that accomplished. Council agrees with Council President Lawrence Cunningham.

Parks and Recreation represented by Sherrie Pennington

Council discusses if The Village would like to continue having flowers located around The Village again this year. Sherrie Pennington said she will meet with Ms. Gearheart to discuss having the flowers distributed around The Village of Windham. Fiscal Officer Katrina Washington informs Council that Ms. Gearheart is also wondering where the pots are from last year because they have not been returned to her last year like they should have been. Fiscal Officer Katrina Washington also explains that Ms. Gearheart fixes the pots, paints the chains, tries to repurpose pots, along with liners to make everything last as long as they can.

Sherrie Pennington suggests doing High School Senior Pictures through town like neighboring communities do. The pictures are about \$25 each. Mayor Scott Garrett likes the idea and thinks it will look really nice. Council agrees and likes the idea. David Belknap mentions doing the same for Veterans as well. Council agrees. David Belknap also mentions making sure American Flags are up by Memorial Day.

Sherrie Pennington informs Council that she would like to incorporate Todd Peetz from Portage County Planning Commission on the Basketball court improvements Schedule Women Gone Wild for November 4<sup>th</sup>, 2023

Cheryl Belknap asks if there will be anything done with the bathrooms at the park. Sherrie Pennington thought there would be locks put on the doors.

Sherrie Pennington asks Fiscal Officer Katrina Washington if she was able to ask the grant writers if they can help with setting up a 501c. Fiscal Officer Katrina Washington said she did. Unfortunately, the grant writers do not offer that service and are not able to help with that. Mayor Scott Garrett asks what is the advantage of setting up a 501c. Sherrie Pennington and David Belknap say it is to keep the Fall Fest funds and activities separated from The Village.

David Belknap asks Council if there should be another pole with lights put up by basketball hoop

Council President Lawrence Cunningham says he needs to talk to Hot Stove because there is a mis understanding about The Village helping them buy dirt. Mayor Scott Garrett says The Village always helps. Council President Lawrence Cunningham said that he will have a discussion with him himself and get to the bottom of it. Stating that if they need it, The Village will give it to them.

Planning Commission represented by Mayor Scott Garrett

Zoning Inspector Nick Bellas had paperwork for the Planning Commission members to sign.

Zoning Inspector Nick Bellas also mentions he was talking with Police Chief Rick Garinger about enforcing the zoning violations. There will be a meeting soon and more information presented to Council in the future.

Zoning and Housing Reports presented by Zoning Inspector Nick Bellas and Housing Inspector Damel Walker

Mayor Scott Garrett asks if there are any issues. Housing Inspector Damel Walker said there are not issues. Housing Inspector Damel Walker thanks The Village for providing him a Village phone so he doesn't have to use his personal phone any more. This is making it a lot easier for people to get a hold of him now.

Guest Recognition that did not request to be added to the agenda

A Village Resident addressed Council. Saying it's great to see what's going on in The Village of Windham. Resident is concerned about the old hardware store and the abandoned buildings though. Wonders why The Village is going after homeowners but not the owners of all the empty buildings. Mayor Scott Garrett shares with The Village Resident that those buildings are actually storage. The Resident also asks about the other plaza that's not being used as storage then. Mayor Scott Garrett informed the Resident that is an ongoing problem that The Village is trying to figure out how to deal with that situation.

Last Chance for Council to speak on any subject

Village Administrator Maurice Hankins shares his conversation he had with Water Superintendent Tony Blewitt. The water is not getting turned over fast enough because it's not getting used. The Village needs more customers. Also shares that Water Superintendent Tony Blewitt has good ideas about how to save money in the Water Treatment Plant. He is talking to multiple people in the industry that are also saving money.

Mayor Scott Garrett says to have Superintendent Tony Blewitt come to the Committee meeting. Also wonders if he has any ideas on the salt shed. Maurina Collins suggests contacting the Architect that did the salt shed for Canfield. Asking if it would be cheaper to purchase the design that is already done. Rather than paying for a from scratch process.

Sherrie Pennington asks Fiscal Officer Katrina Washington how much money is allocated for Water, Sewer, Police, Streets every year. Mayor Scott Garrett clarifies that Sherri Pennington is asking for a budget, which Sherri Pennington agrees. Fiscal Officer Katrina Washington explains that right now there is only a temporary budget. The Final Budget will be coming out from the State of Ohio soon because that process has been started. Sherrie Pennington states she would like to have the Temporary Budget.

David Belknap suggest organizing a meeting with utilities people, the two department heads, The Village Administrator Maurice Hankins, and Fiscal Officer Katrina Washington to go over their budgets because there are some things that Wastewater Superintendent Billy Pennington and David Belknap have questions on. Maurina Collins confirms that David Belknap, Terrie Altieri and herself are on the Utilities Committee.

David Belknap wonders what Council will be using for tables once meetings are moved to the new Police Station. Council President Lawrence Cunningham suggests using plain white tables like what is at the Community Center. Mayor Scott Garrett agrees. David Belknap also brings up if an ADA Compliant bathroom needs to be accessible for the meetings.

David Belknap asks if the rates for the charging station still need to be set. Council President Lawrence Cunningham confirms with Fiscal Officer Katrina Washington that is complete.

David Belknap requests a report on the cost to relocate the Police Department. Police Chief Rick Garinger clarifies if David Belknap would like the current cost compared to how much has been saved by the Police Department doing all the work themselves.

Maurina Collins informs Council that the Employee Handbook is complete.

Maurina Collins did hear back from the representative on replacing street lights. There should be more information to share within the next two to three weeks. The Police Officers were able to provide a list of the street lights that are on twenty-four seven (24/7).

Mayor Scott Garrett asks Sherri Pennington to figure out how to get the information to the Residents about bringing back the Coffee and Donuts with the Mayor event.

### March Meetings

Mayor Scott Garrett does inform Council that during April and May, track season starts and all his meets are on Tuesdays.

Committee Meeting Monday March 13, 2023 at 6:00 pm

Council Meeting Tuesday March 28, 2023 at 6:00 pm

### Solicitor Report represented by Tom Reitz

Solicitor Tom Reitz informs Council that everything he needs to discuss will need to be discussed during Executive Session.

Mayor Scott Garrett requests a motion to enter into Executive Session to discuss Imminent Litigation and Personnel.

David Belknap made a motion to enter Executive Session to discuss Personnel and Imminent Litigation inviting Council for the entire Executive Session. The Village Administrator Maurice Hankins is invited to the Imminent Litigation section of the Executive Session. Maurina Collins 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. The following is based on notes from The Village Solicitor Tom Reitz.

Maurina Collins moved and David Belknap seconded:  
Motion to use the Village's limited wastewater resources toward an economical repair of the Evoqua Disk Filters and to direct the Village Solicitor to not pursue litigation directed toward recovery of damages from the manufacturer of the Evoqua Filters or against the Engineer who specified the Evoqua Filters and oversaw the installation.  
Passed 6-0 The motion was passed at 7:37 pm  
Motion to adjourn at 7:39 pm

Respectfully Submitted,

Attest,

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Katrina Washington  
Clerk of Council

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Scott Garrett  
Mayor

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Tom Reitz, Solicitor

**\*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**