

# *Village of Windham Ohio*

## Minutes of Regular Council Meeting

Held December 18, 2018

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  
Cheryl Taylor – present Stacy Brown – present

Also present were: Patty Moore, Kay Friend, Maurice Hankins, Tom Reitz, Sheila Moore, Cindy Cale, Eric Breiding, Debbie Blewitt, Elizabeth Derthick, Jim Moore, and Tom Brett.

Mr. Snyder nominated Cindy Cale to fill the vacant Council seat. This nomination was seconded by Mrs. Altieri. There were no other nominations. The vote was as follows: Mr. Snyder, yes; Mrs. Taylor, yes; Ms. Belknap, yes; Mrs. Altieri, yes; Ms. Brown, yes.

Mr. Reitz swore in Cindy Cale as the new Council member.

Mr. Garrett said before he appointed the new Village Administrator he wanted to go over the job description. Mr. Garrett said the Village Administrator's position is now a 5 day, 6 hours a day position, 30 hours a week. Mr. Garrett said the Village Administrator will be directly overseeing the Water, Sewer, and Street Departments and they will also be overseeing and coordinating any projects that the Village has going on and they will have supervisory power over the office personnel that is part of Utilities. Mr. Garrett said there are no benefits for this position and the salary is \$17,500/year. Mr. Garrett nominated Debbie Blewitt for the Village Administrator. Mr. Snyder made a motion to approve Mayor Garrett's appointment of Debbie Blewitt as the Village Administrator. Mrs. Altieri seconded this motion. This motion carried by a 4 – 0 vote, with Mrs. Taylor and Mrs. Cale abstaining. Mr. Garrett said this appointment is effective December 19, 2018.

Mr. Snyder made a motion to approve the minutes of the November 27, 2018 Regular Council Meeting, which was seconded by Mrs. Altieri and carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Fiscal Officer Taylor gave the Financial Reports as follows: The Income Tax collected year to date November 30, 2018 was \$409,333.08. The expenditures for the month of November 2018 were \$156,751.41 in checks and charges. Check numbers 34669 through 34739 were paid from the primary checking account during November 2018 with no checks voided during the month. Direct Deposit Vouchers 636-2018 through 663-2018, 668-2018 through 694-2018, and 698-2018 through 718-2018 were also paid during the month of November 2018. The all funds reconciled balance for November 2018 was \$1,536,279.80.

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

Dispatchers Police, Fire and Rescue Reports for November 2018 by Mrs. Taylor – Mrs. Taylor made a motion to accept the Police, Fire and Rescue Reports for November 2018, which was seconded by Mr. Snyder and carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Mayor's Communication by Scott Garrett – Mr. Garrett said he is happy that we now have a full Council and a new Village Administrator and he is looking forward to working with everyone and getting some things done in the Village. Mr. Snyder welcomed Mrs. Cale to Council.

Prior requests of guests to speak – None

Finance by Stacy Brown

Mrs. Altieri made a motion to approve the Fiscal Officer's expenditures for the month of November 2018 as reported. Mr. Snyder seconded this motion and it carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Mr. Snyder made a motion to approve the all funds reconciled bank balance for November 2018 in the amount of \$1,536,279.80 as reported. Ms. Belknap seconded the motion which carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Ms. Brown read Ordinance O-2018-32 **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 5 – 0 vote, with Mrs. Cale abstaining. Ms. Brown made a motion to adopt Ordinance O-2018-32, which was seconded by Mr. Snyder and carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Mrs. Altieri made a motion to move \$750,000 to an ICS Money Market Account. This motion was seconded by Mr. Snyder and carried by a 5 – 0 vote, with Mrs. Cale abstaining. Mrs. Altieri said she would like to revisit this amount in 3 months and possibly put more in the Money Market Account if we are able to.

Ms. Brown read Ordinance O-2018-34 **AN ORDINANCE APPROVING AND ADOPTING THE TEMPORARY APPROPRIATIONS FOR 2019 FOR THE VILLAGE OF WINDHAM, CALLED FOR IN THAT BUDGET 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, with Mrs. Cale abstaining. Ms. Brown made a motion to adopt Ordinance O-2018-34, which was seconded by Mr. Snyder and carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Safety, Personnel, Rules (SPR) by Stacy Brown

Mrs. Altieri made a motion to increase Marie Evitts' (Utility Clerk) pay rate to \$14/hour beginning January 1, 2019. This motion was seconded by Mr. Snyder and carried by a 5 – 0, with Mrs. Cale abstaining.

Mrs. Altieri made a motion to approve increasing the salary of the Police Chief to \$48,900 in consideration of the Chief declining the medical insurance which was previously provided to him, and to which as a full-time employee he is otherwise entitled. This motion was seconded by Ms. Belknap and carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Utilities by Cheryl Taylor

Mrs. Taylor made a motion to approve the purchase of a new flow meter for the Sewer Plant at a cost of \$3,164. This motion was seconded by Mrs. Altieri and carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Mrs. Taylor made a motion to approve the purchase of a back-up generator for the Wil-Verne Lift Station at a cost of \$8,300. This motion was seconded by Mr. Snyder and carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Mrs. Taylor read Ordinance O-2018-33 **AN ORDINANCE TO REVISE AND AMEND SECTIONS 921.04 AND 923.02 OF THE VILLAGE OF WINDHAM UTILITY CODE TO ADJUST WATER AND SEWER TAP IN FEES FOR CONNECTION TO THE VILLAGE OF WINDHAM WATER AND SEWER SYSTEMS** and made a motion to suspend the rules, which was seconded by Mr. Snyder and carried by a 5 – 0 vote, with Mrs. Cale abstaining. Maurice Hankins explained to Council that the last time these rates were updated was 1995 and he explained that he took a look at surrounding communities and communities with similar populations to come up with the current numbers; however the Village of Windham is still under the cost of the surrounding communities. Mr. Hankins said in comparison to other communities our water and sewer tap in fees seemed to be reversed, so he suggested switching the higher tap in fee to sewer to bring it in line with surrounding communities. Mrs. Taylor made a motion to adopt Ordinance O-2018-33, which was seconded by Mr. Snyder and carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Mrs. Taylor read Resolution R-2018-34 **A RESOLUTION TO APPROVE AN AGREEMENT WITH BILL PENNINGTON TO BE THE CERTIFIED PUBLIC WATER SUPPLY OPERATOR FOR THE VILLAGE OF WINDHAM WATER SYSTEM 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, with Mrs. Cale abstaining. Mrs. Taylor made a motion to adopt Resolution R-2018-34, which was seconded by Mrs. Altieri and carried by a 5 – 0 vote, with Mrs. Cale abstaining.

Service Committee by Phil Snyder – Mr. Snyder has nothing at the time.

Economic Development by Terrie Altieri – Mrs. Altieri had nothing at the time.

Parks and Recreation by Ms. Belknap – Ms. Belknap said she enjoyed serving on the Parks & Recreation Committee and she hopes to make each event better next year and possibly come up with some new ideas, and she will make sure the swing set gets installed next year. Mr. Snyder commended Ms. Belknap on all her efforts at all the events put on by the Parks & Recreation Committee this past 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 second read.

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 second read.

Solicitor's Report by Tom Reitz – Mr. Reitz said in respect to the last two pieces of legislation that were read at this meeting there will be a Public Hearing on both proposed zoning changes that will be held on January 8, 2019 at 5:45 p.m. Mr. Reitz said the property on the corner of East Center Street and Snow Road is now in zoning compliance and that lawsuit has been dismissed. Mr. Reitz said that Mr. and Mrs. Owens have been served, concerning their nuisance property on North Main Street, and the time that they had to respond to that has passed and Mr. Reitz will file a motion for default judgement and request the court's authority to tear that structure down. Mr. Reitz said that hearing should take place sometime in January or early February and he anticipates the court will grant the Village the authority to take that building down. Mr. Reitz said that the Village will be able to place a lien on the property once the structure is torn down, but they will have to advance the money to tear it down.

Guest Recognition – Jim Moore asked what the next step for the temporary appropriations was. Cheree Taylor said it will be filed with the County Auditor tomorrow and it will go into effect and then Council will approve permanent appropriations by the end of March. Jim Moore asked if there would be Committee meetings held to discuss permanent appropriations. Cheree Taylor said she does appropriations and presents them before committee and there is generally never a problem. Cheree Taylor said permanent appropriations have to be done by the end of March; however she would like to have them done by February. Jim Moore asked about the last meeting when Mr. Garrett said we were looking to make the Housing Rental License Fee every other year and upping the fee. Mr. Garrett said he is in discussion with Tom Brett about possibly doubling the fine, which would be \$100, if the Housing Rental License Fee is not paid. Mr. Garrett said this is not upping the fees; it is upping the penalty for not paying the fee. Maurice Hankins said in all his time being involved in Village government, this is the best he has ever seen it and he thinks everyone is doing a great job. Mr. Garrett thanked Mr. Hankins for his service over the years.

Last Chance of Council to Speak on Any Subject – Debbie Blewitt asked Council to please review the Land Use Plan from Portage County Regional Planning and make sure it is okay or if there needs to be any changes. Tom Brett said he has a donation of land acceptance from the Land Bank that needs to be signed by the Mayor; it has already been approved by Council. Tom Brett said 9521 Community should be torn down by spring. Mr. Snyder said he is looking forward to working with the Council in the upcoming year; we have a lot of projects coming up. Debbie Blewitt said maybe approach some of the other people that put in letters of interest for the Council seat and see if they would like to serve on the Planning Commission.

Council looked at the calendar for January. There will be a Public Hearing on January 8, 2019 for the discussion of zoning changes at 5:45 p.m. and at 6:00 p.m. on January 8, 2019 the Organizational Meeting will be held. There will be a Planning Commission Meeting on January 15, 2019 at 5:30 p.m. There will not be any Committee Meetings in January, 2019. The Council Meeting will be Tuesday, January 22, 2019 at 7:00 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 7:39 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.