

## Minutes of Special Council Meeting

Held July 21, 2020

At 7:08 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 Lawrence Cunningham – present  
Terrie Altieri – present Cindy Cale – present  
Cheryl Taylor – present Sherri Pennington – present

Also present were: Tom Reitz, Eric Breiding, Elizabeth Derthick, Tom Brett, Debbie Blewitt, Todd Peetz, and Sheila Moore.

Mrs. Altieri made a motion to approve the amended agenda for the July 21, 2020 Special Council Meeting, which was seconded by Mrs. Taylor and carried by a 6 – 0 vote.

Mrs. Taylor made a motion to approve the minutes of the June 23, 2020 Regular Council Meeting, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Elizabeth Derthick gave the Financial Reports as follows: The Income Tax collected year to date June 30, 2020 was \$255,225.88. The expenditures for the month of June 2020 were \$196,248.41 in checks and charges. Check numbers 36160 through 36245 were paid from the primary checking account during June 2020 with one check, number 36244, voided during the month. Direct Deposit Vouchers 320-2020 through 347-2020 and 351-2020 through 369-2020 were also paid during the month of June 2020. The all funds reconciled balance for June 2020 was \$1,557,938.65.

Village Council President's report by Terrie Altieri – Mrs. Altieri has nothing at the time.

Dispatchers Police, Fire and Rescue Reports for June 2020 by Cindy Cale – Mrs. Cale made a motion to accept the Police, Fire, and Rescue Reports for June 2020, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mayor's Communication by Scott Garrett – Mr. Garrett said to be aware of our surroundings, COVID 19 has been on the rise in Portage and Trumbull Counties, please wear masks and social distance, possibly put a message on the community sign reminding residents to take precautions.

Prior requests of guests to speak – Todd Peetz from Portage County Regional Planning discussed the Land Use Plan. Mr. Peetz said there was never an adoption of the Land Use Plan from back in March 2019, but in the meantime there were some changes to some land that the Village owns, so there were a couple of changes made to this land in order for the Village to be able to sell it. Mr. Peetz said the Zoning map (page 28) was updated and Map 13 (page 38), which is Public Ownership of Land, the red square was added, which is the Urban Renewal & Redevelopment Area, which means it can now be sold without going to bid, and this is also referenced on page 46. Mr. Reitz said he drew up legislation with very specific language referencing the Ohio Revised Code and the Urban Renewal & Redevelopment Area that will be on the first read tonight to adopt the Land Use Plan. Mr. Reitz said he recommends a few changes to the actual wording in the Land Use Plan, so he recommends a first read on the legislation tonight and then the changes can be made by the second read and it can be passed then. The Council agreed.

Finance by Cindy Cale

Mrs. Cale made a motion to approve the Fiscal Officer's expenditures for the month of June 2020 as reported. Mrs. Taylor seconded this motion and it carried by a 6 – 0 vote.

Mrs. Cale made a motion to approve the all funds reconciled bank balance for June 2020 in the amount of \$1,557,938.65 as reported. Mrs. Altieri seconded the motion which carried by a 6 – 0 vote.

Mrs. Cale read Ordinance O-2020-17 **AN ORDINANCE AMENDING CHAPTER 182.07 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WINDHAM.** This was a

second read. Mr. Reitz said RTTA asked the question as to whether this pertains to just individual taxpayer or both individual and corporate taxpayers. Council agreed that it would just be for individual taxpayers and Mr. Reitz said he would make that revision before next month's Council Meeting.

Safety, Personnel, Rules (SPR) by Terrie Altiere

Mrs. Altiere read Resolution R-2020-12 **A RESOLUTION RECOGNIZING THE EFFECT OF THE COVID-19 STRAIN OF THE CORONAVIRUS ON THE VILLAGE OF WINDHAM AND SUSPENDING ENFORCEMENT OF CERTAIN PROVISIONS OF THE WINDHAM CODIFIED ORDINANCES AND DECLARING A STATE OF EMERGENCY.** Mrs. Cale made a motion to suspend the rules, which was seconded by Mrs. Taylor and carried by a 6 – 0 vote. Mrs. Altiere made a motion to adopt Resolution R-2020-12, which was seconded by Mrs. Cale and carried by a 6 – 0 vote.

Mrs. Altiere read Ordinance O-2020-18 **AN ORDINANCE ENACTING SECTION 139.09 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WINDHAM.** This was a first read.

Mrs. Altiere said that Council has received emails and pictures from Debbie Blewitt showing that people have been putting garbage in the recycle bins, so a decision needs to be made as to whether to continue with the recycle bins or have them removed. Debbie Blewitt said the Township is aware of the problem and will be in agreement with the Village if they decide to pull the recycle bins out. Debbie Blewitt said we do have a contract, but Portage County Solid Waste District said they don't believe that will be a problem because there are several communities with drop off recycle that are having the same problems and want to pull their dumpsters also. Mr. Reitz said he would review the contract and then send an email out to Council about cause for ending the contract, and he said he will also contact Bill Steiner and see if Bill is willing to give a written confirmation stating Portage County Solid Waste is willing to forego the balance of the contract. Mrs. Altiere made a motion to suspend the contract with Portage County Solid Waste contingent on Tom Reitz's decision if there will be a penalty and a contract, this motion was seconded by Mrs. Cale and carried by a 6 – 0 vote.

Utilities by Cheryl Taylor

Mrs. Altiere made a motion to approve the hire of Billy Pennington as Superintendent of the Waste Water Treatment Plant at \$26,45 per hour. This motion was seconded by Mr. Cunningham and carried by a 5 – 0 vote, with Mrs. Pennington abstaining.

Service Committee by Cheryl Belknap

Ms. Belknap read Ordinance O-2020-14 **AN ORDINANCE AMENDING SECTION 1341.03(e) OF THE VILLAGE OF WINDHAM CODIFIED ORDINANCES.** This was a second read.

Ms. Belknap read Ordinance O-2020-15 **AN ORDINANCE AMENDING CHAPTER 521.06 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WINDHAM.** This was a second read. Mrs. Cale asked about the question about the grass in this Ordinance. Mr. Reitz said that he doesn't believe that grass growing through the pavement falls under the grass Ordinance, so he does not think that any changes need to be made to that. Mr. Reitz said he will make the adjustment to the lighting section to reflect midnight as the cutoff time.

There was discussion about what is being done with residents that do not keep their yard cleaned up. It was explained that letter have gone out to these residents and if they do not clean their yards up then we can pursue criminal charges. Mr. Garrett said we have to be diligent on this, send no more than two letters and then take them to court. Mrs. Cale suggested taking pictures. Mr. Reitz explained injunctive procedures, but said they are costly and would not recommend they be used all the time.

Economic Development by Lawrence Cunningham

Mr. Cunningham read Resolution R-2020-13 **A RESOLUTION ADOPTING THE WINDHAM VILLAGE LAND USE PLAN.** This was a first read.

Parks and Recreation by Sherri Pennington – Mrs. Pennington said the Fall Fest is cancelled this year due to COVID 19, however we will use this upcoming year to build the committee, try

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to get additional volunteers, we need to apply for a 501C (non-profit organization) so that we can take donations and we need to set up a separate bank account for this committee, that will be separate from the Village. Mrs. Pennington said this committee will continue to meet at least once a month and the next meeting will be Monday, August 3, 2020 at 6:00 p.m. at the Village Park Pavilion.

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

Solicitor's Report by Tom Reitz – Tom Reitz said he recommends the Council Meetings continue to be conducted on ZOOM for the foreseeable future due to the increase in the number of cases of COVID 19.

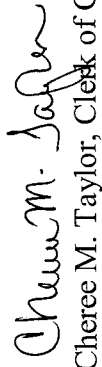
Guest Recognition – Sheila Moore asked if it is possible to get the Health Department involved in some of these cases where the properties are a mess and there are children playing around this. Debbie Blewitt said on the property beside Sheila's parents' property, Child Services has been notified. Mr. Garrett said we can call the Health Department; it does not hurt to try. Sheila Moore asked if someone would be able to send her an agenda for tonight's meeting and Elizabeth Derthick said she would email Sheila a copy. Debbie Blewitt said she would email all correspondences from Bill Steiner and pictures of recycle to Sheila Moore. Debbie Blewitt said if people want to continue to recycle then they are going to have to go through their independent garbage carrier.

Last Chance of Council to Speak on Any Subject – Tom Brett said he is still working on the changes to the fencing code.

Council looked at the calendar for August 2020. The Committee meetings (Parks & Recreation and Committee of the Whole) will be Tuesday, August 11, 2020 at 6:00 p.m. The Council Meeting will be Tuesday, August 25, 2020 at 7:00 p.m. All meetings will be virtual meetings on Zoom.

Mrs. Altieri made a motion to adjourn the meeting which was seconded by Mrs. Taylor and by unanimous vote the meeting was adjourned at 8:16 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.

