

Village of Windham, Ohio

Minutes of Special Council Meeting

Held August 8, 2018

At 6:02 p.m. the Honorable Mayor Deborah Blewitt called the meeting to order and said the reasons for the meeting were to read Ordinance O-2018-18 for a second time, appoint an interim Village Administrator, appoint a Water Superintendent, and to pass Resolution R-2018-20. Mayor Blewitt led in the pledge of allegiance to the flag of our country.

Roll Call:	Phil Snyder – present	Cheryl Belknap – present
	Scott Garrett – present	Cheryl Taylor – present
	Sheila Moore – present	Stacy Brown – absent

Also present were: Kay Friend, Jim Moore, Patty Moore, Erica Moore, Jaime Cain, Dion Delphia, Cindy Cale, Tom Reitz, Tom Brett, and Michele Pallo

Mayor Blewitt read Ordinance O-2018-18 **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-2.** This was a second read.

Mr. Garrett made a motion to approve Mayor Blewitt’s appointment of Maurice Hankins as the interim Village Administrator. This motion was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Mayor Blewitt asked for a motion, second, and vote to approve Maurice Hankins’ appointment of Paul Blewitt as the Water Superintendent. Mayor Blewitt went on record to say that she stayed totally out of this decision, she attended no meetings, did no interviews, she shares the same last name through marriage and she didn’t was any part of this. Maurice Hankins said that after reviewing the 7 or 8 applicants he agrees with Mr. Garrett and Mrs. Taylor that Paul Blewitt was highly qualified and the best out of all the applicants and to top it off he is a resident of the Village. Mayor Blewitt said we had no one who had a Water license apply for the position so we’re back to square one. Mr. Garrett said he took all the applicants and highlighted qualifications that would be beneficial for the position and Tony was by far, with 30 years of experience in what we’re going to need him to do. Maurice said he has known Tony since he was a kid and Mr. Garrett said we’ll be lucky to have him. Mr. Snyder said his skill level is very high for what we need. Mr. Snyder said it was encouraging to see the applications that we had and that we had other people that were qualified and if this doesn’t work out we have other applicants that we could fall back on that are qualified. Ms. Moore asked when the meeting was and where the applications were. Ms. Moore said she was never informed of this meeting and Mayor Blewitt said it was the Personnel Committee. Ms. Moore said whether it’s Personnel, Economic, Parks, whatever are supposed to invite the rest of Council if they want to be there and plus Mr. Garrett has mentioned to her over a week ago that there were applications in her box and she never saw them. Mayor Blewitt said she provided the applications to the Personnel Committee, Phil, Stacy, and Cheryl. Ms. Moore said it is in the Ordinances that every Council member is to be advised of a meeting of a Committee and invited to attend or choose not to, Cheryl was there and Scott obviously knew about it, she doesn’t know anything about it and has no way to review the applications to vote on this person. Mr. Garrett said he would put a copy of the applications in Ms. Moore’s box. Ms. Moore said she came and got all of the stuff out of her box this morning and based on what Mr. Garrett had told her, she expected a lot more documents. Mr. Garrett said he would give her a copy so she would have the information when she votes. Ms. Moore said she thought we were voting on it right now and Mr. Garrett said that’s true. Ms. Moore said she is not going to vote in favor of it but only because of that. Mayor Blewitt asked if there was legislation saying that all Council members should have been provided with the applications. Mr. Garrett said it’s probably a good idea if they are going to vote on it. Mayor Blewitt said if there is legislation that says that, she is not aware of it. Mr. Reitz said the legislation is part of Chapter 121 – Rules for the Governance of the Business and Conduct of the Council, subparagraph k is entitled Committees, and it says it is usual for Council to divide itself into Committees to study matters that may come before Council, however action must be taken on proposed legislation by the Council as a whole. All members of Council may attend and participate in the meetings. Mayor Blewitt asked if it said

it was the Mayor's responsibility to make sure that every Council member is, because it is going forward but that's what she is saying. Ms. Moore said she didn't say it was the Mayor's responsibility. Mayor Blewitt said if it is, then she will do that from now on. Ms. Moore said we always have to her knowledge. Mayor Blewitt said if we need to remedy this, we can remedy this. Mr. Garrett said he will take the hit on this, he was under the impression that we were not going to vote on this until the main Council meeting and he was going to provide everyone with the applications at the next Committee meeting, so he understands Ms. Moore's objections. Mayor Blewitt said she has a folder with the applications that Ms. Moore can have. Ms. Moore said if you want to vote on it tonight that's fine, but that's just how she lands on it. Maurice said her reason for abstaining is a good reason and Mayor Blewitt and Mr. Garrett agreed. Mr. Reitz said that probably the correct way to handle this is, when you have a Committee meeting you should make sure that members of the Committee receive the appropriate documentation in advance of the meeting, after the Committee has reached whatever decision it decides to make and it comes before the full Council, then you need to provide all that same information to the Council, otherwise how is a Council person to make an informed vote. Mr. Garrett agreed and again said that it was his mistake. Ms. Moore said that is fine and Maurice has her full support, so if he believes in this person, then fine. Mr. Garrett said we can postpone this until the main Council meeting. Mr. Reitz said you need a Village Administrator and a Water Superintendent now. Mayor Blewitt said that anyone we hire will want to give their other employer a two week notice, so if we wait until the end of August at the main Council meeting, this person will not be able to start until mid-September, that's why we're trying to move as quick as we are. Mr. Garrett made the motion to approve Maurice Hankins' appointment of Paul Blewitt as the Water Superintendent. Mr. Snyder seconded this motion and it carried by 4 – 0 vote, with Ms. Moore abstaining.

Mr. Snyder read Resolution R-2018-20 **A RESOLUTION TO AUTHORIZE MAYOR AND FISCAL OFFICER TO EXECUTE SEVERAL MORTGAGE SATISFACTONS ON BEHALF OF THE VILLAGE.** Mr. Reitz said the Mayor received a call before the meeting and she handed him the phone, it was Stacy Brown from NDS, and he talked to her about this legislation. Mr. Reitz said he was balking about approving this legislation because he was not satisfied with the proof that this payment should be waived and that is still his position. Mr. Reitz said that after speaking with NDS, Stacy Brown, she informed him of two things, one, she shares his apprehension because she does not want have an auditor say to the Village that we shouldn't have done this and she doesn't want her auditor saying something unfortunate to her, and the second thing she said was the sense of urgency that drove this to be placed on the agenda tonight was the closing of their acquisition of property from the Village, that closing has been postponed until early September. Mr. Reitz said that means that if you have this as a first reading tonight you still have time to act on it at your regular Council meeting later in the month and it gives Stacy and him the opportunity to make sure that these funds, which are grant funds, actually should be forgiven and the mortgages should be marked as satisfied because he cannot make that representation to Council this evening and he would want you to have this as a first reading, by the way, the legislation is not complete, he sent this along so Council would have the title to put on the agenda, but he didn't intend that it be added to your agenda, because he doesn't want Council to get his work when it's not done. Mr. Reitz said there are some \$400,000 of mortgages held by the Village, that predates his work for the Village by easily a decade, possibly two and it predates Stacy Brown's work at NDS, but what they have been able to piece together from the records is PADCORP under the leadership of William Hale applied for various grant funds, the funds were actually received by PADCORP, gifted, granted, provided to the Village, it's not clear how they got into the Village's hand, and then the Village loaned this money to landlords who used the money to restore their buildings, bring their buildings into a better condition, and at least the theory was that the cash flow from the rent would repay the money, it was a nice theory, it didn't come into effect, and there was actually no cash flow, indeed most of the buildings that secured these mortgages have since been demolished, so there is no chance of revenue of them at this point, and the mortgages themselves act as a restraint or deterrents to developing the properties because nobody is going to buy a property with 30, 40, 100, 150 thousand dollar mortgage on it for a vacant lot, so they do need to be removed but the only real question is how to do it properly, legally. Mr. Reitz said these mortgages all together total more than \$400,000, there's not a chance he was going to recommend to Council, that Council marks these mortgages as satisfied without being comfortable that he can stand in front of an auditor and say here is the justification for it. Ms. Moore asked where would we get that money anyway. Mr. Reitz asked where would, when would you get it. Ms. Moore asked Mr. Reitz if he was talking about the Village satisfying these mortgages. Mr. Reitz said the Village is going to release the mortgages; the Village will not get any money for it. Mr. Reitz said the mortgages are from PADCORP to the Village, your bank wouldn't release a mortgage without getting paid, why would you. Mayor Blewitt said it's from the Village to PADCORP, correct. Mr. Reitz said no, it's from the Village, being

administered by PADCORP to private landlords. Mayor Blewitt asked so all those years there was never any cash flow. Mr. Reitz said he thinks there were payments made initially for a short period of time but there haven't been any payments for 25 years. Mr. Reitz said Council will recall every time the Village receives something from the Land Bank there's a release of a mortgage; it's a partial release of these mortgages. Mr. Reitz said if we do it correctly we'll be able to clear them all. Mr. Garrett asked if this had anything to do with the Revolving Loan Fund. Mr. Reitz said some of them did, not all of the mortgages were for the same thing. Mr. Reitz said he was sorry for the interruption, but it's not right for Council to act on this tonight. This was a first read for Resolution R-2018-20. Jim Moore asked who this money was loaned to. Mr. Reitz said there are a series of 4 or 5 mortgages, one of them was to Maple Grove I Limited Partnership, second one is also to Maple Grove I Limited Partnership, third one is to Maple Grove II, doesn't say whether it's a corporation or a limited liability company, these are names of entities which he is only familiar with from previous foreclosure actions, they're not businesses that he thinks are currently in operation, the fourth mortgage is to Community & Economic Development Corporation, the fifth mortgage is to Maple Grove I Limited Partnership, these are under different programs, so Council can see why he is uncomfortable saying in a blanket way, it's okay to let these go, because it's not, those are all the entities that are obligated under the mortgages that are being requested for release.

Mr. Garrett made a motion to adjourn the meeting. The motion was seconded by Mr. Snyder and carried by unanimous vote at 6:20 p.m.

Respectfully submitted,

Attest,

Cheree M. Taylor, Clerk of Council

Deborah L. 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.