

Village of Windham, Ohio

Minutes of Regular Council Meeting

Held on August 22, 2023

At 6:00 pm Mayor Scott Garrett called the Regular Council 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 – Absent David Belknap – Present

Also present were Village Solicitor Tom Reitz, Village Administrator Ryan Wagner, Zoning Inspector Nick Bellas, Housing Inspector Damel Walker, Police Chief Rick Garinger and multiple Village Residents

Mayor Scott Garrett opens the floor to Assistant Fire Chief Joe Veccia. Assistant Fire Chief Joe Veccia explains to Council that the Fire Department is asking the Village and Township to match buying three (3) sets of fire gear for the fire department. Further explaining that they have applied for grants and have tried using The Village's Grant Writer. Assistant Fire Chief Joe Veccia can't get the Grant Writer to return phone calls, texts or emails unfortunately. The Fire Department is talking with a new grant writer, that will cost about twenty-five hundred dollars (\$2,500) and he is making up a contract now. Assistant Fire Chief Joe Veccia spoke with The Township and agree to match whatever The Village buys. Sherri Pennington asks if the amount on the handout is the price per set. Assistant Fire Chief Joe Veccia confirms. Further explaining that they are hoping The Village would buy three (3) sets and then figure out the billing after that. Explaining that the Fire Department has been trying to get gear for years. They have not bought a set of gear in about five (5) years and they only good for ten (10) years. Assistant Fire Chief Joe Veccia further explains the age of the current gear and how the new hires don't fit in the gear that is available. So they don't have anything to wear right now. Also stating that everything is hand me downs with holes that they send out to get fixed at a gear place. Council thanks Assistant Fire Chief Joe Veccia for the information.

Mayor Scott Garrett asks for a motion to approve the July 25, 2023 Regular Council Minutes. Terrie Altieri makes a motion to approve the July 25, 2023 Regular Council Minutes. Cheryl Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

Mayor Scott Garrett asks for a motion to approve the August 8, 2023 Special Council Minutes. Terrie Altieri makes a motion to approve the August 8, 2023 Special Council Minutes. Cheryl Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

Mayor Scott Garrett asks for a motion to approve the August 8, 2023 Public Hearing Minutes. Terrie Altieri makes a motion to approve the August 8, 2023 Public Hearing Minutes. Cheryl Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

Fiscal Officer's Financial Reports by Katrina Washington

Income Tax collected Year to date July 31, 2023: \$460,858.73

The Expenditures for the month of July, 2023: \$206,584.74 in checks and charges. Check numbers 22212, 38565, 38567, 38573, 38576, 38577, 38579 through 38591, 38593 through 38607, 38609 through 38614, and 38617 were paid from the primary checking account during July 2023 with 0 checks voided during the month. Direct Deposit Vouchers 563-2023 through 582-2023, 585-2023 through 587-2023, 589-2023, 590-2023, 592-2023 through 605-2023, 608-2023 through 628-2023, 630-2023, 632-2023, 634-2023, 636-2023 through 642-2023. 644-2023 through 661-2023 were also paid during the month of July 2023. The all funds balance for July 2023 was \$2,200,953.12

Mayor Scott Garrett opens the floor to anyone having old business to discuss.

Council President Lawrence Cunningham asks Assistant Fire Chief Joe Veccia if there is an expiration date on the handout Council was given for the Fire Gear. David Belknap says September 30, 2023. David Belknap asks if purchasing Fire Gear will be reviewed at the committee meeting.

Mayor Scott Garrett opens the floor to Police Chief Rick Garinger Police Chief Rick Garinger asks Lt Korman to join him on the Council floor. Sharing that Lt Korman has been a Village Police Officer for twenty-six (26) years. On September 1, 2023 Lt Korman will retire with twenty-six (26) years of full-time service with The Village, along with some part-time service. Lt Korman rose up through the ranks at The Village Police Department; from a Patrolman to a Lieutenant. He has acted as the Chief of Police in two (2) different incidences when the Police Department did not have one. Lt Korman has maintained his decorum and been professional about the way he has handled himself throughout his entire career. Police Chief Rick Garinger would like to take this time to congratulate Lt Korman on his retirement. Further explaining that Lt Korman would like to come back and work part-time at the Police Department in the future. Police Chief Rick Garinger shares that he would be thrilled to see Lt Korman return to assist The Village Police Department in the future. Police Chief Rick Garinger presents Lt Korman with a shadow box. Council thanks Lt Korman for his service.

Council President Lawrence Cunningham does a second read of **ORDINANCE O-2023-09 AN ORDINANCE AMENDING SECTION 123.01- POSTING OF ORDINANCES.**

Council President Lawrence Cunningham makes a motion to open discussion on ORDINANCE O-2023-09. Terrie Altieri seconded the motion and it carried by a 5-0 Roll Call Vote.

Council President Lawrence Cunningham asks Clerk of Council Katrina Washington for confirmation that she found stable locations. Clerk of Council Katrina Washington confirms the locations are listed in the Ordinance. Circle K, Farmers National Bank, US Post Office, Renaissance Center, and the Utilities Office.

With no further discussion Council President Lawrence Cunningham makes a motion to close discussion on ORDINANCE O-2023-09. Sherri Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

Council President Lawrence Cunningham reads **RESOLUTION R-2023-6 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM UNDER SECTION 715.261 OF THE OHIO REVISED CODE TO CERTIFY THE FOLLOWING SUMS TO THE PORTAGE COUNTY AUDITOR TO BE ASSESSED AND COLLECTED AS TAXES FOR THE MOWING OF LOTS CONTRACTED BY THE VILLAGE OF WINDHAM TOTALING \$6775.00 AS SET FORTH HEREIN AND DECLARING AN EMERGENCY.**

Council President Lawrence Cunningham makes a motion to open discussion on RESOLUTION R-2023-6. Sherri Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap asks for clarification that Resolution R-2023-6 was for the mowing. Mayor Scott Garrett and Council President Lawrence Cunningham confirm. David Belknap shares that he printed off 555, asking Village Solicitor Tom Reitz if that is the correct code that authorizes and pertains to it. David Belknap states that he does not want us to get in trouble, like The Village has in the past. Stating that at the last meeting Council discussed changing the Ordinance and stuff. Some questions came up about how The Village Administrator is supposed to go about notifying them that their grass is high and doing it. This caused David Belknap to read into the Ordinance and it appears that The Village is supposed to notify the property owner at their last known address. Then after we mow it, we are supposed to give them seven (7) days to pay. Village Solicitor Tom Reitz informs David Belknap that he did not inform him that he wanted to talk about this and he did not review this in advance. Further asking David Belknap if he would like Village Solicitor Tom Reitz to read it over. David Belknap apologizes explaining that he just found it. He just wants to make sure before we approve to send it to the auditor that we are following our Ordinance. And not taxing these people and not following it the way we are supposed to. Village Solicitor Tom Reitz asks who is the individual that has been tasked with doing this. David Belknap says our Village Administrator he believes. Village Solicitor Tom Reitz informs David Belknap that as to whether the notices were given or not, he would have to ask The Village Administrator. David Belknap says that The Village Administrator had questions as the last meeting. Mayor Scott Garrett says that is because we just changed the person in that position, that is why. Village Solicitor Tom Reitz explains that at the last Council meeting, Council talked about some changes and said that Council would discuss what Council wanted to do at the Committee of the Whole. Further explaining that Council has not contacted him since then. So, if Council wants changes or needs guidance. David Belknap interrupts stating that he didn't know this was going to come out, he just got this yesterday. So he didn't even know. Village Solicitor Tom Reitz states that this is done every year, so this is not something new or novel. This something that Council does every year. Further explaining that he has been The Village Solicitor for eleven (11) years; this has been going on for eleven (11) years; and he has is not aware of the process ever being challenged. Council may have citizens that have contacted you saying this is an outrageous price, it's to high, this is inconvenient, they don't like having it on their taxes and more. The Village Solicitor Tom Reitz does not doubt that they have received things like that. His observation is; in the past; The Village has chosen somebody that they know will do it promptly and reliably. Not necessarily the cheapest one around, because The Village does not want to be in the business of cutting peoples grass. David Belknap explains that he is talking about the

process of us going through. Village Solicitor Tom Reitz interrupts David Belknap stating that if you are following this process, it is a legitimate, legal, appropriate thing for you to do. David Belknap agrees. Village Solicitor Tom Reitz tells David Belknap that he can't speak to whether the notices were given. David Belknap would have to ask The Village Administrator. Mayor Scott Garrett shares that there have been two (2) different situations where there have been phone calls. David Belknap interrupts saying that is why he is bringing this up. Mayor Scott Garrett says that those two (2) situations, the fees were waved. David Belknap asks; in good faith; how can we send these people this. After reviewing our Ordinance, if we are not contacting. Mayor Scott Garrett asks who says that we are not. Further explaining that David Belknap is assuming that they did not. David Belknap asks if we did. Council President Lawrence Cunningham explains that the letters will go out through certified mail so we will know that somebody got it. Mayor Scott Garrett shares that a lot of the people that get these, get them every year. It is the same people. David Belknap explains that he doesn't want it to fall back on us. Mayor Scott Garrett explains that right now, it is a little late as we are sending this out to the auditor. It has been practice and grass has been cut all year. All these people have received their bills and have had the opportunity to pay it. David Belknap asks if they got the bill, do we know they got the bill. Mayor Scott Garrett explains that if this was a big issue to David Belknap, this should have happened last month. David Belknap says that he didn't know about it. Mayor Scott Garrett says that we do this every year. David Belknap says that it was just brought up last month. David Belknap says that he is being attached because he is reading the Ordinance and asking questions. Mayor Scott Garrett says no. Mayor Scott Garrett is saying that Council is not sending this to the Auditor. David Belknap says that we don't have to if we don't know. Mayor Scott Garrett says that if all any of these people had an issue with their grass being cut, if David Belknap thinks they wouldn't call. David Belknap gives an example of a name on the list who has passed away and everything is tied up in probate right now. So how can that person call. Mayor Scott Garrett and Chery Belknap say that it then goes to their Heirs. David Belknap asks if there is proof that The Village Administrator gave seven (7) days notice by certified mail to the owner of such land to pay the cost of such cutting, trimming or removal of grass. Mayor Scott Garrett states that as far as he knows yes. David Belknap asks Mayor Scott Garrett that he is going on record saying that yes, we sent certified mail within seven (7) days. Mayor Scott Garrett clarifies saying that he did not send them, no. He is assuming that people did their job. David Belknap states that now we are assuming. Now we are changing it. Mayor Scott Garrett says no. David Belknap asks which one is it. Mayor Scott Garrett explains that he is not here to double check everybody and ensure they are doing their jobs. If a policeman gives a ticket, it is assumed that he gave the ticket properly. Further explaining that is how you hire people. David Belknap says that at the last meeting the current Village Administrator Ryan Wagner sat there and stated that he didn't know the exact process. Mayor Scott Garrett acknowledges that stating that Ryan had just started. So, they sat down and talked about it. Further explaining that people have the chance to call if there is an issue so The Village can look into it further.

With no further discussion Council President Lawrence Cunningham makes a motion to close discussion on RESOLUTION R-2023-6. David Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

Council President Lawrence Cunningham makes a motion to suspend the rules. Sherrie Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

Council President Lawrence Cunningham makes a motion to approve RESOLUTION R-2023-6. Sherrie Pennington seconded the motion.

Roll Call: Lawrence Cunningham – Yes Sherri Pennington – Yes
 Cheryl Belknap – Yes Terrie Altieri – Yes
 Maurina Collins – Absent David Belknap – No

The motion carried by a 4-1 Roll Call Vote.

Council President Lawrence Cunningham reads RESOLUTION R-2023-8 A
RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER UNDER SECTION 715.261 OF THE OHIO REVISED CODE TO CERTIFY THE FOLLOWING SUMS TO THE PORTAGE COUNTY AUDITOR TO BE ASSESSED AND COLLECTED AS DELINQUENT HOUSING LICENSE FEES TOTALING \$24,162.00 AS SET FORTH HEREIN AND DECLARING AN EMERGENCY.

Council President Lawrence Cunningham makes a motion to open discussion on RESOLUTION R-2023-8. Cheryl Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap brings to Council's attention that in the total in section one it says the total for \$24,162.00. While the totals at the bottom say \$12,081.00. Asking Fiscal Officer Katrina Washington if those numbers are correct. Fiscal Officer Katrina Washington informs Council that she does not do this Resolution, Marie gets the information from. David Belknap interrupts further explaining that the numbers at the top do not match the amount at the bottom. Village Solicitor Tom Reitz asks Fiscal Officer Katrina Washington if she thinks that is a typographical error. Fiscal Officer Katrina Washington thinks it is. Further stating that Marie had asked Fiscal Officer Katrina Washington to double check the numbers as well. Unfortunately, with people coming in to pay at the last minute and trying to learn how to prepare the proposed budget, she did not get a chance to review them. Council believes the correct number would be \$12,081.00. Housing inspector Damel Walker informs Council that is defiantly a typo.

With no further discussion Council President Lawrence Cunningham makes a motion to close discussion on RESOLUTION R-2023-8. David Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

Council President Lawrence Cunningham makes a motion to suspend the rules. Cheryl Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

Village Solicitor Tom Reitz advises Council how to amend RESOLUTION R-2023-08. This is a motion to amend the Resolution, RESOLUTION R-2023-08 to two specifics to change in the title the license fees totaling should be \$12,081.00 and also in section one of the Resolution change the dollar amount there to \$12,081.00. Motion to amend, second and a vote.

Council President Lawrence Cunningham makes a motion to amend RESOLUTION R-2023-8. Amend the total \$12,081.00 and section one to \$12,081.00. David Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

Housing Inspector Damel Walker informs Council that mistake was on him not Marie. She just typed up what he gave her.

Village Solicitor Tom Reitz reminds Council that they need a motion to approve Resolution R-2023-08 as amended.

Council President Lawrence Cunningham makes a motion to approve RESOLUTION R-2023-08 as amended. Sherri Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

Terrie Altieri makes a motion to accept Fire and Rescue reports from the Fire Board for July 2023. Sherri Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

Mayor Scott Garrett thinks The Village of Windham owes a debt to Lt Dale Korman for all his years of service and what he has meant to The Village of Windham. 26 years is a long career and we wish him the best for retirement and whatever plans he has in the future.

Mayor Scott Garrett shares with Council that he has talked to Police Chief Rick Garinger, plans are moving forward, but we have to wait for the plans from Four Point to go to the County before work can resume on the new Police building. The same is true for the salt shed.

Terrie Altieri makes a motion to approve the Fiscal Officer's expenditures for the month of July 2023 as reported. Sherri Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

Terrie Altieri makes a motion to approve the all Funds Bank Balance for July 2023 as reported. Council President Lawrence Cunningham seconded the motion and it carried by a 5-0 Roll Call Vote

Terrie Altieri reads **RESOLUTION R-2023-10 A RESOLUTION APPROVING THE 2024 PROPOSED BUDGET AND AUTHORIZING THE FISCAL OFFICER TO SUBMIT THE BUDGET TO THE PORTAGE COUNTY AUDITOR AND DECLARING AN EMERGENCY.**

Terrie Altieri makes a motion to discuss RESOLUTION R-2023-10. Sherrie Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap asks Fiscal Officer Katrina Washington so any and all questions, we can write down and give to Fiscal Officer Katrina Washington for a detailed report. Fiscal Officer Katrina Washington confirms.

Terrie Altieri makes a motion to close discussion on RESOLUTION R-2023-10. Sherrie Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

Terrie Altieri makes a motion to suspend the rules. Cheryl Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

Terrie Altieri makes a motion to approve RESOLUTION R-2023-10. Sherrie Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

Terrie Altieri does a first read of ORDINANCE 2023 - 10 AN ORDINANCE FIXING COMPENSATION FOR MEMBERS OF THE COUNCIL OF THE VILLAGE OF WINDHAM, OHIO AND REPEALING ANY INCONSISTENT ACTIONS.

Terrie Altieri makes a motion to discuss ORDINANCE 2023 - 10. Sherrie Pennington seconded the motion.

David Belknap asks what is Ordinance 2023-10. Terrie Altieri explains that this is the Ordinance that is going to change the pay for Council and Council President.

Village Solicitor Tom Reitz asks to address Council. Explaining that the Ordinance is late because of him. Explaining that Council President Lawrence Cunningham called him about this Ordinance about ten (10) days ago. Solicitor Tom Reitz was out of town at the time. Further advising that Council will have two more reads, so it can be adjusted. Village Solicitor Tom Reitz also asks for some guidance from Council. Further explaining that the dollar amounts that Council President Lawrence Cunningham told him; Council would get three hundred and fifty dollars (\$350.00) a month and Council President would get four hundred and fifty dollars (\$450.00) a month. But he needs Council's direction because he is aware that there are two (2) regularly scheduled meetings a month. Should it be; in the case of a Council member; one hundred and seventy-five dollars per meeting (\$175.00) per month. Is it fixed. Sherri Pennington says that Council was going to ask that question because they had talked about that. Sherri Pennington asks if somebody only attends one meeting rather than the two, would we be able to put something like that in there. Village Solicitor Tom Reitz says yes, it is permissible. The other factor to consider is, that sometimes Council has Special Council Meetings. Village Solicitor Tom Reitz has been told that if it is multiple meetings on the same day, that should be one pay. Wondering if that is correct. Mayor Scott Garrett confirms. Village Solicitor Tom Reitz asks if Council has a Special Meeting where a separate trip is made to The Village Council Chambers, should that entail additional compensation, or should it not. Mayor Scott Garrett thinks it should. Council President Lawrence Cunningham states that he won't be on Council so he does not know. Mayor Scott Garrett says that Council often has Special Meetings on the same day; thinking that since you are already here; that should not count. Sherri Pennington and Terrie Altieri agree. Mayor Scott Garrett thinks that if it is completely a different day; which it doesn't happen very often; then that same rate should apply. Terrie Altieri asks for clarification. That is one hundred and seventy-five (\$175.00) per meeting, whether it is two, three or four (2, 3, 4). Mayor Scott Garrett confirms, further stating that we have never had four. Village Solicitor Tom Reitz also agrees, stating that it could happen. But it is Council's call and decision. Terrie Altieri explains that when she was on the School Board, they got paid the same amount regardless of how many meetings they had. You did that because you ran for the position and what you were elected to do. It's what you want to do for your Community. Council President Lawrence Cunningham says that when Council does have a Special Meeting, they are normally pretty quick. So, he doesn't see the point in getting paid for it. David Belknap and Terrie Altieri agree. David Belknap asks about there being a maximum about how many meetings you can be paid for in a month. Village Solicitor Tom Reitz does not believe there is a restriction like that for a Village Council. David Belknap states that it doesn't matter for him because he will not be running again, but he thinks it should be the same no matter how many

meetings you go to. Sherri Pennington agrees. Terrie Altieri says that it is not going to affect her because she is not running again, or rather it's not her turn. This will only apply to the new ones coming in. Mayor Scott Garrett asks if Council agrees. Village Solicitor Tom Reitz asks Council if they just changed it to three hundred fifty dollars (\$350.00) and four hundred and fifty (\$450.00) a month. Council President Lawrence Cunningham says you have to attend the meetings. Council agrees. Village Solicitor Tom Reitz asks if Council likes the per meeting because if you can't attend, you are not there to do the work. Council agrees.

Village Solicitor Tom Reitz informs Council that when he asked Fiscal Officer Katrina Washington what the current pay level out was established, she couldn't find it. Village Solicitor Tom Reitz also could not recall changing this during the eleven (11) years that he has been here. Village Solicitor Tom Reitz suggests that Council puts it in the code so that it is easy for everybody to find. Terrie Altieri asks if that is the Ordinance for the Salary Schedule. Fiscal Officer Katrina Washington says that is the only thing that she could find that mentioned anybody's pay scale, but that is for the whole Village. Village Solicitor Tom Reitz agrees that is for all the employees. Further explaining that the elected members of Council, it should be transparent. The Village of Windham is the only Community that Village Solicitor Tom Reitz knows of that does not have it in their Ordinances. Village Solicitor Tom Reitz asks Council what they would like to do. Council agrees.

Village Solicitor Tom Reitz explains; just so everyone understands; there is no member of Council that is giving themselves a raise mid-term on this. The raises take effect after the next election. So the newly elected Council gets the raise if it is passed. If you are in mid-term right now, you don't get the raise you run for office again. If this passes before the next election; which it must be in effect for next year; some of the Council will make more money than the others because it's prohibited to get yourself elected and then give yourself a raise.

Fiscal Officer Katina Washington mentions something that she is not sure they considered in regards to the raises for Council. It is not just the monthly raise that is increasing, it is also the OPERS contribution that The Village has to pay as well. So it will take it up more than just a couple thousand. Mayor Scott Garrett agrees.

Terrie Altieri makes a motion to close discussion for ORDINANCE 2023 - 10. Sherrie Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap reads RESOLUTION R-2023-7 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM UNDER SECTION 735.29 OF THE OHIO REVISED CODE TO CERTIFY THE FOLLOWING SUMS TO THE PORTAGE COUNTY AUDITOR TO BE ASSESSED AND COLLECTED AS DELINQUENT WATER/SEWER RENTS TOTALING \$4160.13 AS SET FORTH HEREIN AND DECLARING AN EMERGENCY.

David Belknap makes a motion to discuss RESOLUTION R-2023-7. Terrie Altieri seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap asks what happens with Ms Heller because the bar has been closed for a couple years now. Mayor Scott Garrett says that the water was still on. David

Belknap asks if it is shut off now. Council President Lawrence Cunningham thinks they cut it off at the street.

David Belknap makes a motion to close discussion on RESOLUTION R-2023-7. Terrie Altieri seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap makes a motion to suspend the rules. Terrie Altieri seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap makes a motion to approve RESOLUTION R-2023-7. Terrie Altieri seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap reads RESOLUTION R-2023-9 **A RESOLUTION AUTHORIZING A CONTRACT WITH ROBERT W. DONHAM II, P.E. FOR PRE-CONSTRUCTION SETUP, CONTRACT DOCUMENT REVIEW AND COORDINATION, AND CONSTRUCTION PHASE SERVICES FOR 2023 WINDHAM WATER WATERLINE REPLACEMENT PROJECT AND DECLARING AN EMERGENCY.**

David Belknap makes a motion to discuss RESOLUTION R-2023-9. Terrie Altieri seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap asks why is this contract being presented now after the grant was awarded. Mayor Scott Garrett says that this is for the engineering fees for the project. David Belknap says that the contract says preconstruction project. Mayor Scott Garrett does not know the answer. Village Solicitor Tom Reitz says that he can speculate on a couple things. Explaining that Rob Donham is a former Mayor of The Village. While he does not live here anymore, he works for peanuts for The Village. When he was the Mayor, he was a pretty proactive character and that is true in his engineering practice also. When would see an opportunity for The Village he would go write a grant or he would apply. Invariably there would be emails from Rob and whoever the Village Administrator was at the time saying "Oh, by the way Tom, we already did this. Here is the contract." Further explaining that if Council looks at the timing on this, it was set to go just before COVID hit. Then this and everything else in the world slowed down. Village Solicitor Tom Reitz further explains that he didn't see this coming. He received an email from Rob last Thursday saying "you're gonna need this". Rob has been doing the work all along. Village Solicitor Tom Reitz informs Council that if they read the contract they will see it says preconstruction design work and oversight. Rob has people here working and then he certifies to the grant organizations that it was actually installed the way it was designed. Sherri Pennington asks when The Village receives a grant, does it come with some kind of number that's affiliated with them so you can reference them when you make payments to things. Village Solicitor Tom Reitz believes that they do. He received literally a two (2) sentence email and this contract. Village Solicitor Tom Reitz also explains that the grant pays for the engineering. David Belknap asks when is the agreement effective because that is blank in his agreement. Village Solicitor Tom Reitz says that you fill it in the date that it gets signed.

Village Solicitor Tom Reitz explains to Council that there is a statutory process for going through and selecting an engineer and he doesn't think that The Village has

done that because it has always had Rob Dunham do this. A requirement of being able to use him is that he has a current statement of qualifications on file with The Village, Council has that because he made that representation in the Resolution. It is literally in the Village Solicitor's possession right now.

David Belknap makes a motion to close discussion on RESOLUTION R-2023-9. Terrie Altieri seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap makes a motion to suspend the rules. Cheryl Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

David Belknap makes a motion to approve RESOLUTION R-2023-9. Sherri Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

Cheryl Belknap has nothing to report at this time for the Service Committee

Council President Lawrence Cunningham shares that the Maple Grove project is going smoothly and is coming close to the end.

Sherri Pennington has nothing to share at this time for Parks and Recreation.

Mayor Scott Garrett does a third read of **ORDINANCE NO. 2023-07 AN ORDINANCE AMENDING THE WINDHAM VILLAGE ZONING ORDINANCE WITH RESPECT TO FENCE REQUIREMENTS.**

Mayor Scott Garrett asks for a motion to discuss ORDINANCE NO. 2023-07.

Terrie Altieri makes the motion. Sherri Pennington seconded the motion and it carried by a 5-0 Roll Call Vote.

Council President Lawrence Cunningham asks if anyone followed up with the residents that had issues with their fences or if the issues were resolved. Zoning Inspector Nick Bellas informs Council that it has been handled.

Mayor Scott Garrett asks for a motion to close discussion on ORDINANCE NO. 2023-07.

Terrie Altieri makes the motion. Cheryl Belknap seconded the motion and it carried by a 5-0 Roll Call Vote.

Mayor Scott Garrett asks for a motion to approve ORDINANCE NO. 2023-07.

Terrie Altieri makes a motion to approve ORDINANCE NO. 2023-07. Cheryl Belknap seconded the motion

Roll Call:	Lawrence Cunningham – Yes	Sherri Pennington – Yes
	Cheryl Belknap – Yes	Terrie Altieri – Yes
	Maurina Collins – Absent	David Belknap – No

The motion carried by a 4-1 Roll Call Vote.

Zoning Inspector Nick Bellas directs Council to the handout he got from the Regional Planning Commission Meeting. He is not familiar with what it means, but it was presented at a previous meeting.

Housing Inspector Damel Walker gives Council an updated list on what has been inspected. He is working on getting the escrow going. Mayor Scott Garrett asks about the timeline currently in place. Housing Inspector Damel Walker informs Council that the deadline was the 18th. Mayor Scott Garrett asks if that goes to Village Solicitor Tom Reitz's desk now. Village Solicitor Tom Reitz confirms.

Village Administrator Ryan Wagner informs Council that he got a bid for the water plant roof from Stier. The bid is for twenty-two thousand dollars (\$22,000). Mayor Scott Garrett asks about the condition of the roof. Village Administrator Ryan Wagner says he doesn't know. Also says it always has shingles being blown off. There are no leaks currently. Village Administrator Ryan Wagner would like to get a couple more bids.

Terrie Altieri sees that the property across from the legion is getting mowed. Village Administrator Ryan Wagner says they had the triple cut the property.

Council President Lawrence Cunningham asks Village Administrator Ryan Wagner got ahold of the people with the corner lot that belongs to the yellow house. Village Administrator Ryan Wagner has not reached out to them, but he will tomorrow.

Village Administrator Ryan Wagner looked at the asphalt on Horn Rd and 303. Said we can't cold patch that area. Water Superintendent Tony Blewitt is going to dig it up to see what is going on with it. Village Administrator Ryan Wagner would like to bundle multiple things to get a better price with bundling.

Village Administrator Ryan Wagner says that the Owens project is on hold right now because he is waiting for the people to call him back.

Cheryl Belknap shares with Council that she spoke with the Dollar General Corporate again who is saying more positive changes will be coming. A new manager has been hired to run the store. Police Chief Rick Garinger explains that they are sympathetic to what happened to Windham get the word out that there is new management. David Belknap asks Police Chief Rick Garinger about filling the cruiser. Police Chief Rick Garinger said that he is going to look into it further once Dollar General gets a new manager.

Cheryl Belknap asks if Police Chief Rick Garinger has received a five (5) year contract with The Village of Windham. Police Chief Rick Garinger would like to be here for the next five (5) years and discuss it at some point.

Council President Lawrence Cunningham asks Police Chief Rick Garinger about the raffle signs. Police Chief Rick Garinger informs Council that they would like to eventually get a K-9. They used the National Night Out as a way to start raising money for a future K-9. The Police Department will be selling tickets through now till the second home football game and then announce the winner at the game. Mayor Scott Garrett shares that The Village has had a K-9 before. It was great to have. The problem they ran in to was when the officer leaves, the dog went with the officer. Police Chief Rick Garinger says that the dog does not have to leave with the officer. Mayor Scott Garrett asks if the dog will work with another person. Police Chief Garinger says that the

dog will. The goal is to raise the money needed so it doesn't have to come out of any budgets.

Council President Lawrence Cunningham reminds everyone that school is starting, so be mindful. David Belknap asks if the SRO Officer is ready to go and if we got the MOU or contract. Police Chief Rick Garinger said we have the MOU that has been in place. They spoke with the School Board to try and figure out how to get a raise in that area when the school hasn't received any more money. Lt Korman is leaving and when Police Chief Rick Garinger brought the individual in he is going to be using Korman's slot to fill the wages for the individual coming in. Then use the money from the school will go towards paying his benefits so that way he will have insurance because he is here long term. We will need to address that issue at some point but with the school not getting the grant, it has changed the plan. Police Chief Rick Garinger tells Council about the grant that will be used to place cameras being placed on the roads entering and exiting The Village. They read plates and identify vehicles. There will be six (6) cameras and should be up and running by the end of September.

Village Administrator Ryan Wagner got an email from a Council member about putting grass on the water line project. It was not in the scope originally. Council says leave it how the specs are.

Fiscal Officer Katrina Washington informs Council that she has received a call from a company similar to Aflac wanting to know if we would want to give the option to the employees. It won't cost The Village any money because the employees pay for the services. Council says they can meet with the company. Maybe ask the employees if they would be interested first. Village Administrator Ryan Wagner said he will ask they guys.

September Calendar

Committee of The Whole Meeting Tuesday September 12, 2023 at 6 p.m.

Regular Council Meeting Tuesday September 26, 2023 at 6 p.m.

Village Solicitor Tom Reitz informs Council that one of his law partners has indicated some interest in representing The Village of Windham beginning January 2024. Village Solicitor Tom Reitz would like to have him attend the next Council Meeting in September so Council can meet him and see if he is a good fit. Council says yes, he can attend. Village Solicitor Tom Reitz also informs Council that he will be retiring effective at the end of December. He will not be allowed to work for a political subdivision for several months and he has no intention on returning.

Mayor requests a motion for Executive Session to discuss personnel inviting Council. David Belknap makes a motion to enter into Executive Session. Terrie Altieri seconded the motion and it carried by a 5-0 Roll Call Vote.

Executive Session was entered at 7:39 p.m.

David Belknap made a motion to exit Executive Session. Sherry Pennington seconded the motion and it carried by a 5-0 vote.

Council exited Executive Session at 7:58 p.m.

David Belknap made a motion to adjourn the Regular Council Meeting. Cheryl Belknap seconded the motion and it carried by a 5-0 vote. The meeting was adjourned at 8:05 p.m.

NOTE: Clerk of Council Katrina Washington was not present when Council exited Executive Session. Clerk of Council Katrina Washington was also not present when Council adjourned from the Regular Council Meeting. The exiting of Executive Session and Adjourning from the Regular Council Meeting Minutes are based on notes given to Clerk of Council from Terri Altieri.

Respectfully Submitted,

Attest,

Katrina Washington
Clerk of Council

Scott Garrett
Mayor

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