

Village of Windham, Ohio

Minutes of Regular Council Meeting

Held on June 27, 2023

At 6:24 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 – Absent

Also present were: Solicitor Tom Reitz, Housing Inspector Damel Walker, Zoning Inspector Nick Bellas, Police Chief Richard Garinger, Sheila Moore, Tina King, Representatives with Century 21 and other Residents of The Village of Windham

Prior Requests to speak to Council
None

Mayor Scott Garrett asks for a motion to approve the May 23, 2023 Regular Council Minutes.

Maurina Collins makes a motion to approve the May 23, 2023 Regular Council Minutes. Cheryl Belknap seconds the motion and it carried by a 5-0 vote.

Financial Officer's Financial Reports by Fiscal Officer Katrina Washington

Income Tax collected Year to date May 31, 2023: \$296,098.49

The Expenditures for the month of May, 2023: \$216,318.96 in checks and charges. Check numbers 38485, 38502, 38509 through 38520, 38522 through 38527, 38531 through 38538, 38540 through 384542, and 38544 were paid from the primary checking account during May 2023 with 1 check voided during the month. Direct Deposit Vouchers 380-2023 through 415-2023, 418-2023, 420-2023, 423-2023 through 426-2023, 428-2023, 430-2023 through 473-2023, 475-2023 were also paid during the month of May 2023. The all funds balance for May 2023 was \$2,210,260.38

Old Business / Topics to discuss
None

Village Council President Report represented by Council President Lawrence Cunningham

Council President Lawrence Cunningham informs Council that the Senior Center is scheduled to open August 1st, 2023. There will be an Open House. Fiscal Officer Katrina Washington asks if they are going to make a flyer or something so it can be advertised. Council President Lawrence Cunningham believes so, but he will talk to her and find out.

Council President Lawrence Cunningham informs Council that the Electric Car Charging Station is almost done. There are a few things that need to be finalized. Maurina Collins asks if there is something that can be made up, like a flyer or something, to put on Facebook informing people that we not have an Electric Car Charging Station. Council President Lawrence Cunningham agrees that can be done. Fiscal Officer Katrina Washington informs Council that she is trying to find out if it needs to be inspected.

Dispatchers Police, Fire and Rescue reports for April 2023 represented by Terrie Altieri

Terrie Altieri makes a motion to accept the Fire, Police Fire Board Reports for April and May of 2023. Cheryl Belknap seconded the motion and it carried with a 5-0 vote.

Mayors Communication represented by Acting Mayor Lawrence Cunningham

Mayor Scott Garrett informs Council that he attended the Rita Conference. Rita is expanding and is in almost every County in Ohio now. Eighty (80) out of eighty-eight (88) Counties now.

Finance represented by Maurina Collins

Maurina Collins made a motion to approve the Fiscal Officer’s expenditures for the month of May 2023 as reported. Terri Altieri seconded the motion and it carried by a 5-0 vote.

Maurina Collins made a motion to approve the all Funds Bank Balance for May 2023 in the amount of two million two hundred ten thousand two hundred sixty dollars and thirty-eight cents (\$2,210,260.38) as reported. Council President Lawrence Cunningham second the motion and it carried by a 5-0 vote.

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

Motion to Hire Ryan Wagner as Village Administrator with a starting date of July 1, 2023 and a Salary pay of something per year. Maurina Collins and Terrie Altieri say Clerk of Council Katrina Washington put “XX” and did not put that in. Clerk of Council Katrina Washington informs Council that she was not actually told the final number of salary per year. Mayor Scott Garrett and Council President Lawrence Cunningham say twenty thousand dollars (\$20,000) a year.

Sherri Pennington seconds the motion.

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

Cheryl Belknap amends her original vote to No.

Motion fails to pass with a 2-3 vote.

Solicitor Tom Reitz asks for confirmation that there were three (3) no votes. Clerk of Council Katrina Washington confirms that there were three (3) no votes. Solicitor Tom Reitz informs Council that the motion failed.

Mayor Scott Garrett asks Solicitor Tom Reitz what does that mean for The Village.

Solicitor Tom Reitz informs Council that means The Village has a vacancy in the Village Administrator position. Mayor Scott Garrett explains that he was the tie breaker vote to make the vote four (4) to three (3) last time. So does that mean Council just has to wait for David Belknap to return in order for that to happen. Solicitor Tom Reitz informs Council that they acted tonight and the motion failed, that’s it. Sherri Pennington asks if it can be put back on next month. Solicitor Tom Reitz asks Council if they want to reconsider. Sherri Pennington says yes. Maurina Collins asks Solicitor Tom Reitz if The Village had to advertise the position. Mayor Scott Garrett asks if Council was tied, and Mayor Scott Garrett broke the tie. Solicitor Tom Reitz says that if the vote was three (3) to three (3). Mayor Scott Garrett interrupts and says he did. Solicitor Tom Reitz asks when did this happen. Mayor Scott Garrett informs Solicitor Tom Reitz that was done at the Special Meeting held on Thursday that he told Solicitor Tom Reitz about. Solicitor Tom Reitz informs Council that he is confused because he wasn’t invited to the Special Meeting so he is not sure what all Council did. Mayor Scott Garrett informs Solicitor Tom Reitz that Council had a Special Meeting to hire a new Village Administrator, where they had a vote. With Mayor Scott Garrett being the tie breaker. Solicitor Tom Reitz asks what was the motion that was passed that evening. Mayor Scott says to vote to hire Ryan Wagner. Solicitor Tom Reitz asks if it passed. Mayor Scott Garrett says yes, further stating that tonight was just a formality. Solicitor Tom Reitz informs Council that tonight was not just a formality. Further stating that he’s not really sure what this is because Council accomplished. Mayor Scott Garrett interrupts saying that it was a Special Council Meeting, we advertised. Reminding Solicitor Tom Reitz that Mayor Scott Garrett spoke with him. Solicitor Tom Reitz confirms they talked about a Special Council Meeting for the purpose of making a determination and then hiring a Village Administrator. Solicitor Tom Reitz asks for clarification that Council passed a motion to hire Ryan Wagner. Mayor Scott Garrett confirms. Solicitor Tom Reitz does not understand why it is currently on the agenda tonight. Mayor Scott Garrett says because it is a formality. Solicitor Tom Reitz says that it is a nullity because Council has already taken this action. Further stating that the motion he heard was to hire, not to reconsider the prior action. Mayor Scott Garrett agrees. Solicitor Tom Reitz informs Council that as of last Thursday, Ryan Wagner was hired effective July 1st, 2023. Mayor Scott Garrett confirms. Solicitor Tom Reitz informs Council that the action of hiring Ryan Wagner last Thursday was accomplished. Further stating that the vote Council just took is of no force and effect. Terrie Altieri asks Solicitor Tom Reitz about the hiring process. Stating that the handbook states The Village has to post that open position for seven (7) days. Solicitor Tom Reitz asks Council that in the future, if there is a procedural question. Where he needs to reconcile the handbook and the Ohio Revised Code, he would like to

know that in advance. Maurina Collins informs Solicitor Tom Reitz that we don't need to revise the employee handbook, we just want to make sure that we did it legally. Mayor Scott Garrett says we can do the whole thing over again. Maurina Collins informs Council that is not what she is saying. She's just saying that Council did not follow their own handbook. Sherri Pennington says that Council did not follow the handbook when they hired the last administrator either. Maurina Collins says that we didn't have the current handbook then. Sherri Pennington shares that the rules are that family members wouldn't vote. Maurina Collins says that's the same incidence with Sherri Pennington voting for salary raises for two family members. Sherri Pennington says she hasn't. Cheryl Belknap and Maurina Collins say she has. Mayor Scott Garrett interrupts and asks for Council Members to give him the floor. Mayor Scott Garrett informs Council that if they would like, Council can do the whole process over again. It can be advertised and voted on again at another Special Meeting. Maurina Collins wants to know if the position should have been advertised. Mayor Scott Garrett said that The Village absolutely should have. Terrie Altieri says moving forward any open positions has to be advertised. Council President Lawrence Cunningham informs Council that there were two (2) candidates. Maurina Collins says but it was not advertised. Maurina Collins asks Solicitor Tom Reitz what he recommends, since we have a handbook and somebody was to call us out on it. Solicitor Tom Reitz informs Council that he would like to know exactly what Council did and then form an opinion. He can let Council know what happens with a conflict with the handbook and the Ohio Revised Code. He would also like to know about Council's notice from the last meeting, see the drafted minutes so that he knows exactly what motion was passed. Maurina Collins asks what the Ohio Revised Code says. Solicitor Tom Reitz informs Council that it is fifty-six (56) really thick books. Which is why would like to know ahead of time if he needs to consult those. Marina Collins informs Council and Solicitor Tom Reitz that somebody posed the question to her about why wasn't it advertised because they would have applied. She did not have an answer to them. She then looked through the handbook and found that we are supposed to advertise that position. Also according to our handbook, the position can be made available to current employees first if they qualify, then it is advertised. Solicitor Tom Reitz is going to look further into what happened at the previous meeting and the motion that was passed.

Utilities represented by David Belknap
Nothing to report at this time

Service Committee represented by Cheryl Belknap
Nothing to report at this time

Economic Development represented by Council President Lawrence Cunningham
Council President Lawrence Cunningham informs Council that he sent in a grant proposal for a splash pad at the park.

Parks and Recreation represented by Sherrie Pennington
Sherri Pennington shares with Council that she reached out to Brian Stanly on hosting the poker tournament for Fall Fest. Asking if anyone has any updates on their actions. Terrie Altieri spoke to the Utilities Clerk about sending out donation request letters. Council President Lawrence Cunningham informs Council that those letters were sent out. Sherri Pennington asks Cheryl Belknap if there is anything she needs for the Chili Cook Off. Cheryl Belknap and Terrie Altieri say no. Maurina Collins asks about a flyer for the Chili Cook Off so it can be posted about put on Facebook to get more candidates. Sherri Pennington asks Maurina Collins if she wants a flyer for Corn Hole. Maurina Collins says yes and asks if we need someone to run that. Sherri Pennington says yes. Sherri Pennington also says that she spoke with some of the food vendors that were at Summer Fest. Somebody asks for the date of Fall Fest. Sherri Pennington says September 30th. Terrie Altieri asks if it is still twelve (12) to whatever. Sherri Pennington confirms. Also sharing that she does not have an update from David Belknap on the fireworks.

Planning Commission represented by Mayor Scott Garrett
Mayor Scott Garrett does a Second Read of **ORDINANCE NO. 2023-05 AN ORDINANCE AMENDING THE WINDHAM VILLAGE ZONING CODES WITH RESPECT TO ENFORCEMENT PENALTY**

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

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

Housing Inspector Damel Walker informs Council that he sent out a list of places already inspected. The inspection fees, the late fees that just came in. There were a couple people that just realized they had to pay and those came in.

Zoning Inspector Nick Bellas asks Council if they have the proposed text amendment changes he handed out to Council. Those are some things that he has been thinking about based on how other communities do things. Nick Bellas does not have a lot of authority right now in the community to address the ascetics and the property maintenance code will allow him to enforce things on both commercial and residential properties. Examples are gutters, broken windows, dilapidating or deteriorating properties. The handout is an outline for the city of Kent. They have had it for years and it has worked out well for them. Hudson has a similar one that he works with daily that also works well.

Zoning Inspector Nick Bellas discusses the Public Nuisance handout provided to Council. This allows a community to enact a Public nuisance without going to the court because it is in the ordinance. This is used many times in Hudson for removing junk vehicles, trailers, problems with the housing and more. The resident is given a legal notice and if they don't comply within thirty (30) days, the city can go onto that property and take care of it. Zoning Inspector Nick Bellas asks Council to read both handouts and consider them. Council President Lawrence Cunningham asks Zoning Inspector Nick Bellas if that is something not in there now that he can do. Zoning Inspector Nick Bellas informs Council that he can do some things, the Public Nuisance is not in our current code per say. It is something that would need to be added. It takes the place of going to court. All of these would be reviewed by our Solicitor to vent or make changes to any wording that would be recommended.

Zoning Inspector Nick Bellas also gave Council handouts about modular homes and definitions. These are the definitions on the Ohio Revised Code to incorporate into our code. He will also be speaking with the County to find out what they do.

Zoning Inspector Nick Bellas talks about the notice of litter and assessments. He put that in there as well because there were some discrepancies in the code as to the Village Administrator had the authority to take care of some littering issues. While the Zoning Inspector did not. There were also some conflicting information. Example, in one code it stated fifteen (15) day notice but in another it said five (5) day notice. Zoning Inspector Nick Bellas tried to reconcile that and make it shorter because there was a pretty significant garbage issue in The Village recently and there was tons of garbage in bags on the street.

Zoning Inspector Nick Bellas would also be working with the Police Department to come up with a way for him to enforce junk vehicles on private property.

Zoning Inspector Nick Bellas informs Council that The Village has a Housing Code appeals Board. He does not know who is on it, so he is wondering if The Village has active members who are actually serving. Who can be called up for a hearing if need be. Suggests Council to look into it to ensure that it is readily available if needed.

Council President Lawrence Cunningham asks Zoning Inspector Nick Bellas how long will this take. Zoning Inspector Nick Bellas informs Council that he can work on this rather quickly but before he wants Council to look everything over to make sure that he is doing what the Council wants. If Council is in agreement on things like these, he can prepare something more formal. Council President Lawrence Cunningham is in agreement, he just wants to know how long it is going to take. Zoning Inspector Nick Bellas says that it will require three (3) reads again. Maurina Collins wonders if the litter or garbage got so out of hand that The Village went and removed it to take care of it. Would process be the same as like what is done with the high grass where it is charged back to the home owner. Zoning Inspector Nick Bellas says yes. Council President Lawrence Cunningham asks what Zoning Inspector Nick Bellas is allowed to enforce now. Zoning Inspector Nick Bellas informs Council that he can do litter, he didn't have the ability to enforce it. Like he couldn't hire a vendor to onto that property and take care of the trash, only The Village Administrator could. He can send it to the Court, but he wants to be able to handle the problem within five (5) days. Not send them to court which is going to take months. We need to get that trash out of there sooner to avoid the smell, rats and more. That way if The Village Administrator is on vacation, incapacitated somehow or not around, there is someone around that can handle the nuisance.

A Representative from Century 21 asks for clarification on if Council will write out manufactured homes and they can only be modular homes. Zoning Inspector Nick Bellas informs the Representative and Council that manufactured homes are permitted in R3. Cathy Lutz with Century 21 asks how an area in the projects are zoned. Zoning Inspector Nick Bellas informs them that is R2. Cathy Lutz asks if that means manufactured homes are not permitted there. Zoning Inspector Nick Bellas confirms. Cathy Lutz says this is a nude point. Zoning Inspector Nick Bellas informs her that it is not a nude point, because that is why we are doing this. The representative from Century 21 asks for clarification that moving forward, The Village will allow manufactured homes. Zoning Inspector Nick Bellas says that Council is defining manufactured homes. Further explaining that a manufactured home under The Village's definition will be like a single wide mobile home. The Village can make its own definition. Council is currently defining what a manufactured home is and what a manufactured home is. We don't want mobile homes going into R1 and R2. The definitions being defined are from the Ohio Revised Code and we need to get those definitions into our code in order to enact something. We can't say manufactured home and not have our own definition because everyone's definition will be different. Which means the definitions for The Village have to be defined for manufactured, modular and mobile homes. These are the definitions that Council is going to vote on. Maurina Collins asks if the definitions Council currently have are the old definitions. Zoning Inspector Nick Bellas is going to meet with the County to make new definitions. Further asking if what is on the paper currently in front of Council could change to match what is allowed and not allowed. Zoning Inspector Nick Bellas informs Council that the handout currently is a draft. Zoning Inspector Nick Bellas confirms, saying that these are definitions that The Village's Code should have if we are going to specify that a modular home can be in R1 and R2. Portage County is going to review the definitions because they are the ones that will be inspecting the modular homes. Maurina Collins asks that even though it says basically like a single wide trailer, that is not necessarily what it's going to be after Zoning Inspector Nick Bellas meets with the County. Zoning Inspector Nick Bellas suggests that Council reads the definitions presented to them. Further stating that Council can make changes if they want because this is just a draft proposal to get the process going. Solicitor Tom Reitz informs Council that they are not going to change these definitions. These are definitions established by the State of Ohio. Under a Uniform Code that treats manufactured homes the same way across the state. The Legal Phrase is, they Preempted the ability of a local Municipality to change the definitions. These are the definitions and that is what the County is probably going to say too. Don't think about changing it. Police Chief Rick Garinger asks if Council can change the districts they put them in. Solicitor Tom Reitz agrees. Cathy Lutz asks Council to explain the difference between having projects that are still there, apartment buildings, duplexes, senior citizens home. All this different stuff is in R2, or is there a split between everything. Zoning Inspector Nick Bellas explains that whatever is there presumably was allowed to be put there by The Village's Code. If an R2 for example allows all those things said by permitted or conditional use. That is why they are there. Cathy Lutz explains that she does not understand how there can be such a mixed use of everything. Zoning Inspector Nick Bellas explains that R2s can have a lot of different apartments, single homes, duplexes. Everything you see was permitted or allowed under conditional use. Meaning it went through the Planning Commission and was okayed it because it was Conditional Use. Cathy Lutz asks if a manufactured home would fall under a Conditional Use. Zoning Inspector Nick Bellas says no because our Code specifically says that manufactured homes are only allowed in R3 right now. If The Village wants manufactured homes in another districts then the Zoning text needs to be changed. A Representative with Century 21 asks if that is going to take three (3) readings. Zoning Inspector Nick Bellas confirms that it will. Also informing the Century 21 reps and council that modular and manufactured homes are inspected differently. Modular Homes are inspected by the County. While manufactured homes are inspected by the Central Inspection Agency out of Youngstown, a State Agency. They have different standards than our Ohio Building Codes. The Ohio Building Codes are the top level. Council needs to decide if they want to allow manufactured and modular homes in R1 and R2, they can do that. If they want to just put modular, they can do that too. But they have to be given the information to make that decision and do that. Council just can't do it right now because the Code doesn't allow it. Century 21 representatives ask how long this process will take. Maurina Collins says that a reading can be done at each meeting. Council has two meetings a month, so basically a month and a half. It doesn't have to be at the official Council meeting. Solicitor Tom Reitz informs Council that they would then have to make their Committee Meetings Special Council Meetings with that timeline. But Council is also not taking into account the Public Hearing for an

amendment to the Zoning. There was more discussion between Century 21 reps and council about the timeline, looking at displays in person and the process. Mostly repeating information. Solicitor Tom Reitz asks Council if they know what changes they want. Council President Lawrence Cunningham, Terrie Altieri and Maurina Collins say they do. Solicitor Tom Reitz informs Council to share that information with him so he can sketch out the meeting schedules. Council President Lawrence Cunningham says he is fine with the manufactured or modular, we zone them to whatever is approved by state and go from there. He does not want mobile homes whatsoever of any sort. Solicitor Tom Reitz says that the significant parts from Council President Lawrence Cunningham's chair are that manufacture and modular are acceptable in R2. Council begins talking over top of each other and it becomes too hard to follow. Clerk of Council Katrina Washington interrupts informing Council that they are talking over top of each other. Sherri Pennington informs Clerk of Council Katrina Washington that they understand each other. Clerk of Council Katrina Washington informs Council that in order to write effective minutes, she needs to be able to understand. Solicitor Tom Reitz also states that in order for him to write what is decided, he also needs to be able to understand. So, Council needs to talk one at a time. Council looks at the zoning maps and discusses where the district lines all fall, which roads are included into which district. Multiple conversations going on and unable to track it all. Solicitor Tom Reitz requests to address Council and Council President Lawrence Cunningham gives the floor to Solicitor Tom Reitz. Solicitor Tom Reitz reminds Council of his questions. Which districts in the districts you select should modular and manufactured homes be a Permitted Use or a Conditionally Permitted Use. Further explaining the difference. A Permitted Use means as a matter of right. The person files their application, they show they are going to locate it within the setbacks on their lot, and they get approved. They don't have to go to the planning commission, they don't need to prove any other requirements. It's issued. Quick, straight forward, easy. A Conditionally Permitted Use means you MAY be able to put that use on that lot, in that district, if you meet certain specified conditions. If you are reading ahead, and you decide you want it to be a Conditionally Permitted Use. The next question that will be asked by Solicitor Tom Reitz will be "subject to what conditions". Solicitor Tom Reitz asks Council if that gave them enough information to make their decision. Maurina Collins says yes and clarifying that they want unconditional. Solicitor Tom Reitz clarifies that Council would like them to be Permitted Use. Maurina Collins agrees, yes, Permitted Use. Solicitor Tom Reitz asks Council in which districts. Maurina Collins informs Solicitor Tom Reitz they want them in R3 and R2. There is more discussion between Council Members about the districts. After further discussion about the districts, Maurina Collins then informs Solicitor Tom Reitz that they want R3 Conditionally and R2 Permitted. Zoning Inspector Nick Bellas requests to address Council. Request was granted. Zoning Inspector Nick Bellas informs Council that currently in R3, that is the only district you are currently allowed manufactured homes. Mayor Scott Garrett thought it was R1. Zoning Inspector Nick Bellas informs Council that is wrong, R3 currently allows manufactured homes. Maurina Collins asks if it is wanted in R2, which is Community Road. Mayor Scott Garrett agrees. More conversation over each other. Century 21 Rep addresses Council saying that he just read the handout given to him. Further suggesting to Council that the verbiage should be changed to say that it needs to be new because you don't want a manufactured home to be moved from an off sight that is twenty-five (25) years old onto a lot. The verbiage should say new from manufacture or the broker. Not from trailer park or off a lot somewhere. Council President Lawrence Cunningham and Mayor Scott Garrett Council is going with R2 because it is all over. Maurina Collins says and then R3 will be Conditional Use. Mayor Scott Garrett and Council President Lawrence Cunningham say no on R3 because it already allows manufactured homes. Council has further discussion about R3. Solicitor Tom Reitz requests the floor to make a suggestion to Council. Terrie Altieri gives the floor to Solicitor Tom Reitz. Solicitor Tom Reitz suggests to Council not to change the definitions, he doesn't think you can. That is a basis for it to be struck down if the definitions are changed. So the requirement that the gentleman said about a new structure, you can't do that in the definition. Instead, you could make it a Conditionally Permitted Use in both R2 and R3. And the Conditions would be that the structure be brand new. Council agrees. Zoning Inspector Nick Bellas asks Solicitor Tom Reitz if that means when a person applies for a permit, that permit would go before the Planning Commission. Solicitor Tom Reitz confirms that is correct. Further stating that it should be a slam-dunk because all they do is they show up with their New Certificate.

Solicitor Tom Reitz directs Council to discuss Scheduling because there needs to be a Public Hearing and three (3) readings. Council's next Committee Meeting. Mayor Scott Garrett interrupts saying it is July 11th. Solicitor Tom Reitz reminds Council that he

is also the Solicitor for The Village of Hiram and that is their Regular Council Meeting. Which means he will be unable to attend Windham's Committee Meeting on July 11th. Asking if Council will be ok with that. Stating that it will be a first read only. Solicitor Tom Reitz further suggests to Council that they have their Public Hearing before the meeting at the end of July. July 25th is Council's regular meeting, which Solicitor Tom Reitz will attend. July 25th will be the second reading. This meeting will also be the night of the Public Hearing. The final reading can then be held before the Committee Meeting on August 8th. On the third reading, if it gets sufficient votes and passes. It becomes part of The Village's Code. Council President Lawrence informs Century 21 that August 8th is when they will vote on the Zoning changes. Solicitor Tom Reitz informs Century 21 that is the best case scenario. Century 21 Reps asks and states that is not for sure, it's after they vote. Solicitor Tom Reitz informs the Century 21 Rep that Council has the right to vote up or down. Century 21 Rep informs Council that the reason he is asking is because he has people scheduled to come down and look at these on June 29th. Solicitor Tom Reitz says to tell them they have to wait till after Council votes. Council Members said they will have to wait one more week.

Mayor Scott Garrett begins discussion about the upcoming meetings for the following month. There are multiple discussions about the upcoming schedule.

Clerk of Council Katrina Washington informs Council confirms the schedule to ensure the dates and meetings are correct for advertising. Planning Committee at 5:30pm on July 25th. Public Hearing July 25th at 5:45pm, then Council Meeting at 6:00pm. Solicitor Tom Reitz informs Council that they have this odd thing in the Code that says the Public Hearing Resolution has to take place thirty (30) days after the advertisement has to go out. Clerk of Council Katrina Washington informs Council that means the publication has to be out by Friday and the cut off with the paper may cause an issue. She will have to double check what the cutoff is. Solicitor Tom Reitz reminds Council that it has to be published once a week for three (3) consecutive weeks, in at least one newspaper in general circulation in The Village, it has to be set by Resolution, and it shall fix the time thirty (30) days in advance of the date of the first publication required for the Public Hearing. Council President Lawrence Cunningham says that it will cut it close but she can publish it and it is still possible. Clerk of Council Katrina Washington informs Council that it is the newspapers cut off. Explaining that she can't just call the newspaper Friday and say publish this tomorrow please. If we want to publish something Friday, she believes the deadline to do so is either Tuesday or Wednesday. Solicitor Tom Reitz asks Clerk of Council Katrina Washington when she would have had to place the publication. Clerk of Council Katrina Washington said she either had to place it today or she has to place it by tomorrow in order to make it a Friday or Saturday publishing date. Solicitor Tom Reitz informs Council that the hand up is, Council has to hold this Public Hearing. And they have to set the Public Hearing by a resolution adopted. Further informing Council that they don't have a Resolution for tonight to pass. For Clerk of Council Katrina Washington to place this add by Friday, council has to pass a Resolution telling her to do it. Council's next regularly scheduled meeting is July 11th. Which is to late. Solicitor Tom Reitz asks Council if they would like to come back later this week. Cheryl Belknap says yes. Maurina Collins asks if tomorrow would work. Solicitor Tom Reitz reminds Council that there has to be twenty-four (24) hour notice for Special Council Meetings. Mayor Scott Garrett says Thursday would have to be it. Solicitor Tom Reitz will write the advertisement tonight after the meeting, and then Council will have it for Thursday.

Mayor Scott Garrett goes over the schedule. July 11th we will start at 6pm. Council President Lawrence and a couple Council Members confirm. Mayor Scott Garrett says July 25th there will be the Planning Committee at 5:30pm. Council President Lawrence Cunningham confirms. There is then some confusion about when the Public Hearing will be held. Solicitor Tom Reitz tells Council that today is the 27th. Council has to hold the Public Hearing thirty (30) days after the first date it was advertised. So Council can not hold the Public Hearing until August 8th. Further explain that Council will have the Planning Commission Meeting at 5:30pm on July 25th, then the Regular Council Meeting at 6pm, with the Public Hearing Meeting on August 8th right before the Special Council Meeting. Council goes through meetings quickly. Solicitor Tom Reitz informs Council that they missed their Special Meeting for Thursday on June 29th. Asking what time will the meeting be. Terrie Altieri and Mayor Scott Garrett say 6pm.

Council President Lawrence Cunningham goes over the schedule again. Starting with Thursday June 29th is the Special Council Meeting at 6pm. July 11th is the Special

Council Meeting at 6pm. July 25th at 5:30pm, then a 5:30pm on the 8th that will be a Public Hearing. Clerk of Courts Katrina Washington asks for clarification that a Special Council Meeting is separate from the Committee Meeting. Solicitor Tom Reitz confirms that it is. Clerk of Council Katrina Washington informs Council that they will have to start before 6pm on July 11th then, so they will have to start at 5:30pm on July 11th. There is more confusion about the meeting schedule and Council Members talking over top of each other. Solicitor Tom Reitz explains to Council the two legislations they need. One is the Resolution to set the Hearing, which is Thursday, two (2) days from now at 6pm. Very short meeting, suspend your rules, pass that resolution. Clerk of Council Katrina Washington is going to rely on Council to pass the Resolution and place the advertisement tomorrow. On July 11th, there will be a Special Council Meeting at whatever time for the first reading on the Proposed Zoning Amendments. After Council has finished the Special Council Meeting, Council will Adjourn and have the Regular Committee of the Whole Meeting. On July 25th, the Planning Commission will meet at 5:30pm to consider the changes and make a recommendation to Council. That is a requirement out of The Village's Code. You will have your Regular Council Meeting at 6pm on July 25th where you will have your second reading on the Code Amendments. On August 8th Council will have the Public Hearing at 5:30pm. By then the advertisement that you'll have authorized two days from now, would have run it's course. Then there is be a Special Council Meeting at 6pm where Council will act on the Planning Commissions recommendation and on the Zoning Amendments. If Council is apprehensive about that night and want Solicitor Tom Reitz to attend, he request Council to move the meeting up a day or back a day. Council says they will be fine.

Last chance for member of Council to speak upon any subject

Maurina Collins informs Council that the rocks in front of the Senior Center are just temporary right now. They will be removed after their open house. She believes the rock will be donated to the new lot for towed cars.

Maurina Collins is going to get the list of street lights not working properly to the Ohio Edison rep. The contract for replacing the lights has also been signed.

Solicitor's Report by Tom Reitz

Solicitor Tom Reitz informs Council that Clerk of Council Katrina Washington asked him if it was permissible for meetings to happen without her in attendance. Which stumped him because he has never been asked that question before. According to the Ohio Revised Code there is a section that says your fiscal officer shall attend all meetings the Village, Legislative Authority of the Village and keep a record of the proceedings and of all rules, bylaws, resolutions and ordinances passed and adopted which shall be subject to the inspection of all persons. In the absence of the Clerk Village Legislative Authority shall appoint one of its members to perform the Clerks duties. Solicitor Tom Reitz asks Council if that is what they did. Council says yes. Mayor Scott Garrett informs Solicitor Tom Reitz that they had a recorder. Solicitor Tom Reitz asks if there was an actual formal motion appointing. Maurina Collins says no. Solicitor Tom Reitz asks Council to follow that practice in the future.

Solicitor Tom Reitz also discusses that there is a requirement, when you are first elected to office, is to attend an open meetings seminar. It is a three (3) hour seminar, it's put on by The Ohio Attorney General Office. He doesn't think it has any cost, but Council does need to attend it. Solicitor Tom Reitz can send Council a link of all the times it is offered in person, or it can be viewed online. Solicitor Tom Reitz asks that Council Members have done that for each of their terms. Terri Altieri asks if it is for every term. Solicitor Tom Reitz says yes, it's because they keep tinkering with the law. So, it changes occasionally. Fiscal Officer Katrina Washington is also required to have six (6) hours of training as a new Fiscal Officer, wondering if she knew that. Fiscal Officer Katrina Washington informs Solicitor Tom Reitz that she did know that.

Solicitor Tom Reitz also informs Council that there is not a lot of communication right now. Explaining that a couple Village Administrator's ago, Debbie Blewitt, Solicitor Tom Reitz use to call Debbie four or five (4-5) days before every Council Meeting and ask what is going on. What are the Council Members talking about, what are they concerned about, what should he be ready for. Nobody is doing that with Solicitor Tom Reitz right now. Solicitor Tom Reitz asks that he receives an email if there is something they will know they want to talk about in a meeting. Council Members discuss a plan to improve that line of communication between Solicitor Tom Reitz and themselves.

Mayor Scott Garrett opens the floor to any other questions or concerns to discuss.

Sheila Moore reminds Council that when Council has a Special Meeting, like the one earlier this week. Council is supposed to stay on just that topic. Council can't talk about the Handbook at that Special Meeting. Not unless there is notice. Solicitor Tom Reitz says that Sheila Moore has a good point. He has observed that over the years, from multiple different Councils, they go from one topic to another. Solicitor Tom Reitz puts in the notice we are going to talk about amending the Zoning Code and any other business that is properly before the Council. That allows them to talk about the things that they are concerned about that night.

Tina King asks about the website getting updated. Council has been saying that the website is getting updated. She has lived here for three (3) years and has been attending the meetings, either herself or her husband. She does not know anyone's names sitting in Council Chambers right now, other than the Police Chief and Zoning Inspector Nick Bellas. Explaining that nothing is published, nothing is up to date. Asking what is going on with this website company. Are they still hired, are they supposed to be updating. Because when you look at the website, it still says Debbie Blewitt. Tina King knows that Debbie Blewitt is not the Village Administrator. Maurina Collins informs Tina King that Fiscal Officer Katrina Washington did send updated information to the website gentleman with everyone's names and possibly emails. Fiscal Officer Katrina Washington informs Council and Tina King that the website does not currently say Debbie Blewitt, it currently states Maurice Hankins. It also has herself listed as the Fiscal Officer, it has been currently updated and in the process. Tina King asks since when because she just looked at it and it wasn't updated. Fiscal Officer Katrina Washington offers to pull the website up after the meeting to show Tina King. Tina King says that she wants to start getting involved in things and if she needs to contact one of the people in this room, she wants to know who she needs to contact. Fiscal Officer Katrina Washington says that all that information is listed on the website right now. There was more discussion about the website being updated in regards to the Ordinances, Resolutions and Minutes.

Police Chief Rick Garinger informs Council that August 1, 2023 will be First Night Out from 5pm-8pm at the Community Center. Maurina Collins asks if they need anything. Multiple conversations happening.

Council President Lawrence Cunningham asks for clarification about what is happening with The Village Administrator position. Mayor Scott Garrett says that Solicitor Tom Reitz is going to look into the process followed by Council and get back to Council.

There being no further business, Maurina Collins made a motion to adjourn the Council Meeting. Terri Altieri seconds the motion and it carried by a 4-0 vote. The meeting was adjourned at 7:58 pm.

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