

## Minutes of Special Council Meeting

Held October 13, 2020

The meeting was preceded by a Public Hearing on Tuesday, October 13, 2020 at 5:33 p.m. to allow discussion of Ordinance O-2020-20 (Amending Fence Requirements). Those present for the Public Hearing were Cheryl Taylor, Sherri Pennington, Scott Garrett, Cheryl Belknap, Cindy Cale, Lawrence Cunningham, Terrie Altieri, Debbie Blewitt, Elizabeth Derthick, Tom Reitz, Sheila Moore, Charles Mangus, and Tom Brett. There was a brief explanation by Tom Brett as to the changes to the fencing requirements. There were no questions or comments from the public at the Public Hearing and the Public Hearing was adjourned at 5:46 p.m. with a motion by Cheryl Taylor and a second by Terrie Altieri.

At 6:00 p.m. the Honorable Mayor Scott Garrett called the meeting to order and led in the pledge of allegiance to the flag of our country. Cheree Taylor stated the reason for the meeting is to make determinations of CARES Act Funds.

Roll Call: Cheryl Belknap – present Lawrence Cunningham – present  
Terrie Altieri – present Cindy Cale – present  
Cheryl Taylor – present Sherri Pennington – present

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

Cheree Taylor read 4.0 – Discussion and potential action determining the use of CARES Act Funds to construct shower facilities for employees. Cheree Taylor told Council they received paperwork detailing the quotes for this project. Mr. Reitz explained to Council the three criteria for legal use of the CARES Act Funds and said that these should be considered and met for each piece of legislation that involves CARES Act Funds. The criteria are as follows: 1) The expenditures are necessary and incurred due to the public health emergency of COVID 19. 2) The expenditures were not accounted for in the budget as of March 27, 2020. 3) The expenditures occurred during the time period of March 1, 2020 through December 20, 2020. Mr. Reitz said numbers 2 and 3 are pretty cut and dry, however number 1 can bring about all different kinds of determinations and that is what he wanted to discuss with Council. Mr. Reitz said these guidelines and funds come from the Federal government and read some of the approved expenditures from the Federal guidelines and said that Council may decide this project may fall into this catch all category, any other COVID 19 related expenses reasonably necessary to the function of government that satisfy the funds eligibility criteria. Mr. Reitz shared some frequently asked questions that were provided by the Federal government guidelines that seemed to be applicable to the shower facilities upstairs and he said he thinks it is clearly appropriate to provide a place where employees can shower after being exposed to COVID 19 before getting into their personal vehicles and drive home, it would be an approved and effective way to protect the Village employees from spreading the virus further. Mr. Reitz said the question that needs answered is how much of the upstairs improvements are directly related to meeting the COVID 19 needs right now and with that being said the quotes are broken up into different categories, such as electrical and plumbing. Mr. Reitz said he is not aware of any penalty that is associated with an error in the use of CARES Act funds made in good faith. Mr. Reitz said he cannot say one way or the other if this would be a permissible use for the funds, but he does recommend dividing the project up and justifying the reasons for the divisions. There was discussion among the Council as to which parts, if any would qualify for use of the CARES Act funds. Mr. Reitz clarified that he is not trying to guide the Council one way or the other, he wants Council to understand the criteria, this is a policy decision and he will write legislation providing justification, according to what the Council determines. Council then discussed how much of the upstairs project would fall within the CARES Act funds criteria. Council determined that the plumbing, electricity, and HVAC would fit the CARES Act criteria for the project, however they asked Rick Layer to break down his quote into two quotes, one being the costs related to the finishing work of the showers and the locker room and another quote with the costs related to the finishing work for the records room area which will be paid for from the general fund. Mr. Reitz recommended scheduling another Special Council Meeting to approve this legislation for the shower facilities and locker room. Council decided to schedule a Special Council Meeting on Thursday, October 15, 2020 at 5:30 p.m.

Finance by Cindy Cale

Mrs. Cale read Ordinance O-2020-25 BEING AN ORDINANCE AUTHORIZING THE AMENDING AND/OR SUPPLEMENTING OF THE PERMANENT APPROPRIATIONS SET FORTH IN ORDINANCE O-2020-9 ON MARCH 24, 2020 FOR THE VILLAGE OF WINDHAM, AS SET FORTH BELOW AND DECLARING AN EMERGENCY and made a motion to suspend the rules, which was seconded by Mrs. Taylor and carried by a 6 – 0 vote. Mrs. Cale made a motion to adopt Ordinance O-2020-25, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mrs. Cale read Ordinance O-2020-26 AN ORDINANCE TO AUTHORIZE THE USE OF CARES ACT FUNDING TO INSTALL A WATER LINE TO THE VILLAGE MAINTENANCE GARAGE TO CLEAN AND DISINFECT POLICE CRUISERS AND POLICE EQUIPMENT TO INHIBIT THE SPREAD OF GERMS AND TO ALLOW EMPLOYEES TO FOLLOW CENTER FOR DISEASE CONTROL AND OHIO DEPARTMENT OF HEALTH GUIDELINES DESIGNED TO STOP OR MINIMIZE THE SPREAD OF THE CORONAVIRUS AND DECLARING AN EMERGENCY and made a motion to suspend the rules, which was seconded by Ms. Belknap and carried by a 6 – 0 vote. Mrs. Cale made a motion to adopt Ordinance O-2020-26, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mrs. Cale read Ordinance O-2020-27 AN ORDINANCE TO AUTHORIZE THE USE OF CARES ACT FUNDING TO UPGRADE RESTROOM FACILITIES IN VARIOUS PUBLIC AND MUNICIPAL PLACES TO INHIBIT THE SPREAD OF GERMS AND TO ALLOW CITIZENS TO FOLLOW CENTER FOR DISEASE CONTROL AND OHIO DEPARTMENT OF HEALTH GUIDELINES DESIGNED TO STOP OR MINIMIZE THE SPREAD OF THE CORONAVIRUS AND DECLARING AN EMERGENCY and made a motion to suspend the rules, which was seconded by Ms. Belknap and carried by a 6 – 0 vote. Mrs. Cale made a motion to adopt Ordinance O-2020-27, which was seconded by Mrs. Taylor and carried by a 6 – 0 vote.

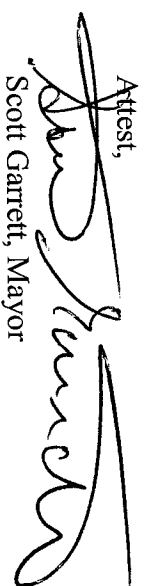
Mrs. Cale read Ordinance O-2020-28 AN ORDINANCE TO ESTABLISH A POLICY AUTHORIZING SUPPLEMENTAL HAZARD PAY FROM THE CORONAVIRUS RELIEF FUND LOCAL GOVERNMENT ASSISTANCE PROGRAM FOR EMPLOYEES WHO ARE SUBJECT TO WORKING IN HAZARDOUS CONDITIONS DURING A DECLARED STATE OF EMERGENCY AND DECLARING AN EMERGENCY and made a motion to suspend the rules, which was seconded by Mrs. Taylor and carried by a 6 – 0 vote. Council made a decision to table this legislation due to time constraints and still having questions for Mr. Reitz. Mrs. Cale made a motion to table Ordinance O-2020-28, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mrs. Cale made a motion to adjourn the meeting which was seconded by Mrs. Altieri and by unanimous vote the meeting was adjourned at 6:44 p.m.

Respectfully submitted,



Cheree M. Taylor, Clerk of Council

Attest,  


Scott Garrett, Mayor

**\*\* NOTE: THESE MINUTES ARE SUMMARY BY DIRECTION OF COUNCIL \*\***  
All Council & Committee Meetings will be held in Windham Council Chambers, unless otherwise noted.