Village of Windham,Ohio

Minutes of Regular Council Meeting

Held on March 28, 2024

At 6:00 pm Mayor Lawrence Cunningham called the Regular Council Meeting to order and led in the Pledge of Allegiance.

Roll Call: Scott Garrett – Present Sherri Pennington – Present Cheryl Belknap – Present Terrie Altiere – Present Marilyn Gage – Present David Belknap – Present

Also present were Village Solicitor Charles Gasio, Zoning Inspector Chris Stier, Police Chief Rick Garinger, Sam DeSalvo, Housing Inspector Damel Walker, Jim Florence, Kathy Lutz with Century 21, and other residents.

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Mayor Lawrence Cunningham opens the floor to prior guests to speak.

Jim Florence addresses Council. He moved here in 2020. When he arrived in the city, we had a number of businesses. A Pharmacy, Hardware Store, the Dixie Diner, the American Legion, a Mechanic shop, the beverage, the Dollar Store and two gas stations, a brick factory, and a bank. Jim Florence asks how many of those are still here. Explaining that the only businesses still here are the brick factory and two gas stations. Jim Florence wonders what has The Village done to entice new businesses to move to Windham. Also asking what are the short and long-term plans for Windham. Jim Florence wonders why the strip center is still vacant. Also asks who owns the Windham Tavern and why it isn't open. It was well known for its food and could be a big draw for weekend motorcycle riders coming through town. Jim Florence asks the council if they have considered inviting Amish and Amish owned businesses to the community. To go shopping, a resident has to go to Garrettsville, Ravenna, Newton Falls or Middlefield. Wondering how much tax revenue The Village is losing to these towns yearly. Jim Florence also mentioned how Marijuana is not legal in Ohio. Wondering why the town doesn’t bring Marijuana production in this area. To show the rest of the state how to profit from both these industries. Mayor Lawrence Cunningham explains that businesses moving out wasn’t because of something the Village did. Explaining that in regards to the plaza, the owners do plan on doing something with it or selling it. Mayor Lawrence Cunningham shares that a Professor from Kent State was scheduled to attend the meeting to talk with Council about Cannabis, but due to traveling issues he had to reschedule.  Mayor Lawrence Cunningham is also speaking with the owners of the Tavern to come up with a plan for that building as well. Along with other buildings on the strip. Further explaining that it has been three months and it is going to take some time, but progress is being made.

Mayor Lawrence Cunningham requests a motion to approve the January 2, 2024 Organizational/Special Meeting Minutes. Scott Garrett makes that motion. Council President Sherri Pennington second the motion and it carried by a 6-0 Roll Call Vote.

Council President Sherri Pennington makes a motion to approve the January 23, 2024 Regular Council Meeting Minutes. Scott Garrett seconded the motion and it carried by a 4-0 Roll Call Vote with Terrie Altiere and David Belknap abstaining.

Sherri Pennington makes a motion to approve the February 26, 2024 Regular Council Meeting Minutes as amended. David Belknap will get amendments to Clerk of Council Katrina Washington. Terrie Altiere seconded the motion and it carried by a 5-0 Roll Call Vote with Marilyn Gage abstaining.

Mayor Lawrence Cunningham opens floor for Fiscal Officer’s Financial Reports by Katrina Washington

Income Tax collected Year to date February 2024: $142,030.65

The Expenditures for the month of February 2024: $206,773.10 in checks and charges. Check numbers 38869, 38875 through 38879, 38880, 38882 through 38916, 38918, 38920, 38922, 38923, 38928 and 38937 were paid from the primary checking account during February 2024 with 10 checks voided during the month. Direct Deposit Vouchers 56-2024 through 78-2024, 82-2024 through 86-2024, 89-2024, 91-2024, 92-2024, 94-2024, 95-2024, 97-2024 through 107-2024, 109-2024 through 114-2024, 116-2024 through 134-2024, 143-2024 through 145-2024 and 147-2024 through 149-2024, 151-2024, 152-2024, 186-2024 and 187-2024 were also paid during the month of February 2024. The all funds balance for February 2024 was $2,225,601.14.

Mayor Lawrence Cunningham opens the floor for old business

Mayor Lawrence Cunningham opens the floor to Police Chief Rick Garinger who shares the millage and maintenance needs on the police cruisers. Presenting a quote to get two new police cruisers. There is discussion on where the money is located in the budget report, how much the major repairs would cost if done and which cars would be sold. Terrie Altiere, Council President Lawrence Cunningham, Marilyn Gage and Scott Garrett agree that the police department needs to replace two cars.

Mayor Lawrence Cunningham asks Village Administrator Ryan Wagner about somebody possibly wanting to fill the Wastewater Superintendent position. Village Administrator Ryan Wagner informs Council that he has not received a definite 100%. He didn’t know what Council wanted to do, so he wasn’t pushing it. Further explaining that Village Administrator Ryan Wagner and Wastewater Superintendent Billy Pennington talked. Informing Council that ultimately what they would like to do is for Village Administrator Ryan Wagner to get his Class II. Since he is here twenty hours a week anyways. That way the Wastewater Superintendent can have time off. Tyler can stay on. Explaining that Wastewater Superintendent Billy Pennington would then go part time and it would save money. Village Administrator Ryan Wagner informs Council that he just has to go take the test. He scheduled the test once already for the end of the month, but the end of the month is always crazy for him because he has to get all his stuff completed. The Wastewater Superintendent thinks that is ok. Village Administrator Ryan Wagner did speak with Danny Spore who said he wouldn’t mind helping too. Explaining that it could be like Chris Johnson. Danny Spore runs a four million gallons a day plant. He’s worked for Summit County for forty plus years. Scott Garrett asks if Danny Spore would be a subcontractor. Village Administrator Ryan Wagner says that it would depend how Council would want to structure it. He could go part time and have the current Wastewater Superintendent stay part time, it could be done like that. Danny Spore would have to get approval from the EPA director in order to be a subcontractor. David Belknap asks how many applications have been turned in for the position. Village Administrator Ryan Wagner says he has received four. Two were not qualified, one that David Belknap sent him, and he just got one from Indeed. But the guy lives out in PA, so he’s not sure if that would be feasible. Terrie Altiere thinks that Council should at least interview the two that are supposedly qualified at least. Also saying that the guy in PA might be willing to move. Village Administrator Ryan Wagner says that he doubts they guy will move. Village Administrator Ryan Wagner says that he does not mind doing it, he’s here twenty hours a week. That is all that is required. If himself and the Wastewater Superintendent are both on it. Scott Garrett asks when would Village Administrator Ryan Wagner be able to take the test. Village Administrator Ryan Wagner says that he can take it this month or next week even. Mayor Lawrence Cunningham asks Village Administrator Ryan Wagner if he is going to have enough time in the day to do all this. Village Administrator Ryan Wagner says that he’s going to be here anyways. Further explaining that Tyler can basically run the plant. That is just for the logistics. Explaining that if Village Administrator Ryan Wagner is anywhere out in this Village, it counts as time for the sewer because it’s distribution. Saying that the plant basically runs itself. Wastewater Superintendent Billy Pennington is still going to do the reports. Regardless, if the current Wastewater Superintendent leaves and we hire another guy full time. Someone will still have to cover him. Explaining that Tyler would stay full time and run the plant. Sherri Pennington asks Village Administrator Ryan Wagner is he will have an answer from Danny Spore and other things figured out by the next Committee Meeting. Village Administrator Ryan Wagner confirms.

Mayor Lawrence Cunningham opens floor for Council President’s Report

Council President Sherri Pennington does a second read of ORDINANCE O-2024-3 AN ORDINANCE AMENDING SECTION 123.01-POSTING OF ORDINANCES. Making a motion to discuss ORDINANCE O-2024-3. David Belknap seconds the motion and it carried by a 6-0 Roll Call Vote.

Council President Sherri Pennington makes a motion to close discussion on ORDINANCE O-2024-3. Scott Garrett seconded the motion and it carried by 6-0 Roll Call Vote.

Council President Sherri Pennington does a Third read of ORDINANCE 2024-01 AN ORDINANCE AMENDING SECTION 1341.10(a) OF THE WINDHAM HOUSING MAINTENANCE AND OCCUPANCY CODE. Making a motion to discuss ORDINANCE 2024-01. Terrie Altiere seconded the motion and it carried by a 6-0 Roll Call Vote.

Council President Sherri Pennington makes a motion to end discussion on ORDINANCE 2024-01. David Belknap seconded the motion and it carried by a 6-0 Roll Call Vote.

Council President Sherri Pennington makes a motion to approve ORDINANCE O-2024-01. David Belknap seconded the motion and it carried by 6-0 Roll Call Vote.

Council President Sherri Pennington does a Second read of ORDINANCE NO. 2024-4 AN ORDINANCE TO CHANGE THE NAME OF THE STREET CURRENTLY KNOWN AS BAUER AVENUE TO MARTY HILL DRIVE. Making a motion to discuss ORDINANCE NO. 2024-4. Terrie Altiere seconded the motion and it carried by a 6-0 Roll Call Vote.

David Belknap says that we are not changing the name, we are just adding Marty Hill Drive.

Council President Sherri Pennington makes a motion to end discussion on ORDINANCE 2024-04. Cheryl Belknap seconded the motion and it carried by a 6-0 Roll Call Vote.

Council President Sherri Pennington shares that while Mayor Lawrence Cunningham and herself attended an event in Ravenna, they found out that there is about three hundred thousand dollars in total available in total for Portage County residents to replace or upgrade their septic systems if they make less than seventy-five thousand dollars a year.

Mayor Lawrence Cunningham opens the floor to Terrie Altiere who makes a motion to accept the Fire and Rescue reports for February 2024. David Belknap seconded and it carried by a 6-0 Roll Call Vote.

Mayor Lawrence Cunningham opens the floor for Mayor’s Communication.

Mayor Lawrence Cunningham explains that him and Council President Lawrence Cunningham went to the Portage Health District meeting. They learned about a lot of different possibilities. Mayor Lawrence Cunningham, Council President Sherri Pennington and Fiscal Officer Katrina Washington also went to a seminar over the weekend that was very informative on things that could help the Village as well. The Easter Egg Hunt is coming up on Saturday at 1pm. Police Chief Rick Garinger took a moment to thank the Sherriff’s office for their donation of six boxes of eggs because they were not able to do their Easter Egg Hunt this year. Mayor Lawrence Cunningham reminds Council that the Community Clean up April 26 & 27, 8am-4pm on Friday and 8am till full on Saturday. Mayor Lawrence Cunningham explains that the reason it is not done on Saturday is because of the cost of paying the overtime. Mayor Lawrence Cunningham says that the football team and other students are willing to help mow lawns or do yard work. Jake Eye will be with them, so they will not be unsupervised youth. Mayor Lawrence Cunningham would still like to implement requiring pressure washing the houses.

Mayor Lawrence Cunningham opens the floor for Finance

Terrie Altiere makes a motion to approve the Fiscal Officer’s expenditures for the month of February 2024 as reported. Cheryl Belknap seconded the motion and it carried by a 6-0 Roll Call Vote.

Terrie Altiere makes a motion to approve the all Funds Bank Balance for February 2024 as reported. Council President Sherri Pennington seconded the motion and it carried by a 6-0 Roll Call Vote.

Terri Altiere reads ORDINANCE O-2024-5 **AN ORDINANCE APPROVING AND ADOPTING THE PERMANENT APPROPRIATIONS FOR 2024 FOR THE VILLAGE OF WINDHAM, CALLED FOR IN THAT BUDGET AND DECLARING AN EMERGENCY** Making a motion to discuss ORDINANCE 2024-5. Council President Sherri Pennington seconded the motion and it carried by a 6-0 Roll Call Vote.

Council President Sherri Pennington asks Fiscal Officer Katrina Washington what Capital Outlay means on the reports. Fiscal Officer Katrina Washington explains that is extra money sitting in reserve that is not assigned to a specific expense, like repairs or salaries. It keeps the money available in the budget if something comes up and a category needs a little more money to pay for something. Further explaining that she tried to put some extra money in each department for unexpected expenses. Council President Sherri Pennington asks for clarification on reading the report given to Council. Fiscal Officer Katrina Washington explains how to read it, what the fund numbers mean, and how the budget for each department can or can’t be moved around if needed.

Terrie Altiere makes a motion to end discussion on ORDINANCE 2024-5. Council President Sherri Pennington seconded the motion and it carried by a 6-0 Roll Call Vote.

Terrie Altiere makes a motion to suspend the rules. Council President Sherri Pennington seconded the motion and it carried by a 6-0 Roll Call Vote.

Terrie Altiere makes a motion to approve ORDINANCE O-2024-5 as amended to say 2024. Council President Sherri Pennington seconded the motion and it carried by 6-0 Roll Call Vote.

Mayor Lawrence Cunningham opens the floor for Safety and Personnel.

Marilyn Gage does a Third read of ORDINANCE NO. 2024-02 **AN ORDINANCE AMENDING VILLAGE OF WINDHAM EMPLOYEE HANDBOOK.** Making a motion to Discuss ORDINANCE NO 2024-02. David Belknap seconded the motion and it carried by a 6-0 Roll Call Vote.

Council instructs Fiscal Officer Katrina Washington to amend the Village Handbook to reflect ORDINANCE NO. 2024-02 when it goes into effect.

Marilyn Gage makes a motion to end Discussion ORDINANCE NO 2024-02. Council President Sherri Pennington seconded the motion and it carried by a 6-0 Roll Call Vote.

Marilyn Gage makes a motion to approve ORDINANCE NO. 2024-02. Scott Garrett seconded the motion and it carried by a 6-0 Roll Call Vote.

Mayor Lawrence Cunningham opened the floor for Parks and Recreation

Council President Sherri Pennington shares that the date has been posted for Fun In The Sun, July 20, 2024. Explaining that at the next meeting we will start getting that organized. Fiscal Officer Katrina Washington shares that she put ten thousand in the budget for Fun In The Sun. She has also talked with a couple different fireworks companies over the last few months who say it costs about a thousand dollars a minute. Explaining that there is a company that will be reaching out to the Fire Chief to start the permit process in order to give us a quote. David Belknap informs Council that is the same weekend as the Ox Roast in Mantua. Explaining that when the Fun In The Sun was posted online was the first the Fire Chief had heard of the event.

Mayor Lawrence Cunningham opens floor to Zoning

Zoning Inspector Chris Stier has issued ten permits.

Mayor Lawrence Cunningham opens floor to Housing Inspector

Housing Inspector Damel Walker gives Council an update on the work being done on the properties that had new maintenance business come in to make repairs.

Mayor Lawrence Cunningham opens floor to Village Administrator Ryan Wagner

Village Administrator Ryan Wagner shares with Council information about the filter repairs, referring to handouts given to Council. A representative from a company is going to come out and speak with Council at the Committee Meeting. The company has their own grant writer on hand within the business and can help with everything. Saying that Council will discuss this further at the Committee Meeting.

Village Administrator Ryan Wagner informs Council, he’s not sure if Council is aware. The Village will be getting a real big bill that he can’t approve. It’s supposed to go back. We ordered one backwash pump, it was approved for sixteen thousand. And a service pump for twenty thousand. The company ended up sending the service pump, but then they sent us the base pump, the coupler, the backwash pump and the motor. Which was an additional fourteen thousand six hundred dollars. Which put us at fifty thousand six hundred dollars. The company wasn’t supposed to send all that. The Water Superintendent spoke with the company and told them that we are not taking all that.

Village Administrator Ryan Wagner says that the Sanitary Survey for the water plant. It went well. There are a couple little things that need done, but no violations. There is a new law coming into effect that has to be done by October. Service line mapping. This will be discussed further at the Committee Meeting. Explaining that you have to list on an excel spreadsheet every service tap, the latitude and longitude and the main water line on our side with the service line on their side. Village Administrator Ryan Wagner proposes giving a discount to residents by having them tell us what their line is coming into their house right before their meter.

Village Administrator Ryan Wagner shares with Council a report that he says they use to get all the time. Further explaining that it is really helpful to the Superintendents and himself to see what they are spending at places. Village Administrator Ryan Wagner says that he would like to have this report if Council doesn’t mind. Explaining that previous Fiscal Officer Cheree Taylor use to give this report to them once a quarter. Terrie Altiere does not understand why this report is needed. Village Administrator Ryan Wagner says that we use to get this report forever and always got it. David Belknap thinks that everyone should get it and it keeps accountability.

Mayor Lawrence Cunningham opens floor last chance for members of Council to speak upon any subject at this meeting

Terrie Altiere asks if Council will be going into Executive Session. Mayor Lawrence Cunningham didn’t think so. Terrie Altiere asks if Council will be discussing pay raises yet. Council decides to discuss at the April meeting.

David Belknap asks if the sale of the old police building was finalized. Terrie Altiere and Mayor Lawrence Cunningham say there are things still happening with that. David Belknap says he is asking because there is a certain distance the rehab program has to be from certain buildings.

David Belknap informs Council that he checked the website and it still does not have certain things on it, wondering if anyone has talked to MDI about it. Says that it still does not have Resolutions, Ordinances and Minutes are still missing. Paticularly Resolutions from 2021 are still not up there. Clerk of Council Katrina Washington reminds Council that was discussed and it was decided that we were going to move forward with what we have right now. Informing Council that she can’t have access to Resolutions that she wasn’t here for and doesn’t know where they are located. Explaining that she has come across a few, but she is sure Council passed more legislation than the few she has found. Mayor Lawrence Cunningham asks if that is when the previous Fiscal Officer left. Terrie Altiere confirms. Terrie Altiere says that it is not up to date with phone numbers and Mayor Lawrence Cunningham. Clerk of Council Katrina Washington informs Council that a bunch of things were recently updated. Pulling up the website she shares that the website currently says Mayor Lawrence, the email and phone numbers. Along with updated library information with new picture and multiple other listings.

Police Chief Rick Garinger informs Council that the .gov email is available now and wondering if Council would want to just switch everyone over to .gov emails. It is about six dollars a month for the email service. It is secure. David Belknap thinks it is a great idea for Council as well because then if anyone wants to request public records or anything like that, it is all accessible.

David Belknap shares that the light replacements have been entered.

David Belknap would like to discuss mowing during the Committee Meeting.

Fiscal Officer Katrina Washington reminds Council and employees that just because there is money sitting in the capital outlay funds, does not mean that it is money that can just be spent. That money is our carry over money from year to year and we need that carry over money to survived. Because there just is not enough property tax and stuff coming in.

Terrie Altiere asks Police Chief Rick Garinger for an update on the building. Police Chief Rick Garinger is getting quotes and trying to ensure that everything they are doing is covered under the ARPA money so it’s not coming out of the General Fund.

Terrie Altiere asks Village Administrator Ryan Wagner about his email for Howland Alarm. Wondering if that will be going in the Police Department too. Village Police Chief Rick Garinger informs Council that the Police Department is already done. Terri Altiere asks Village Administrator Ryan Wagner if that quote is ready to go and if the Village is going with Howland Alarm. Village Administrator Ryan Wagner informs Council that is up to Council. Will talk about at the Committee Meeting.

Mayor Lawrence Cunningham says that we need to get the new police department up and going because it is holding other things up.

Mayor Lawrence Cunningham informs Council Members that they should be doing something between meetings. There are a lot of things that the Village has going on that need to be worked on. Coming in every meeting saying you don’t have something is not acceptable. He understands that there are people working and working hard, but as a whole Council Members need to put in the work.

Mayor Lawrence Cunningham opens floor to Village Solicitor Charles Gasior

Village Solicitor Charles Gasior gives an update on where the courts are in the process of getting everything ready for the new Speed Cameras.

Mayor Lawrence Cunningham goes over March Calendar

Committee Meeting Thursday April 11, 2024 at 6:00 p.m.

Council Meeting Wednesday April 24, 2024 at 6:00 p.m.

Clerk of Council Katrina Washington informs Council that she will not be able to attend the April 24, 2024 meeting. Terrie Altiere will be responsible for taking notes and recording the meeting.

With no further business to discuss Council President Sherri Pennington makes a motion to adjourn the Regular Council Meeting. Terrie Altiere seconded the meeting and it carried with a 6-0 Roll Call Vote.

Regular Council Meeting Adjourned at 7:45pm.

Respectfully Submitted, Attest,

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Katrina Washington Lawrence Cunningham

Clerk of Council 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**