

Village of Windham, Ohio

Minutes of Council Meeting

Held September 27, 2016

At 7:02 p.m. Honorable Mayor Deborah Blewitt called the meeting to order and led in the pledge of allegiance to the flag of our country.

Roll Call:	Sandy Patti – present	Sheila Moore – present
	Scott Garrett – present	Phil Snyder – present
	Linda Rininger – absent	Cheryl Taylor – present

Also present were: Tom Brett, Jeffery Aynes, Mark Russell, Charlie Raimer, Megan Roschek, Thomas Reitz, Cheryl Belknap, Ryan Wagner, and Matt Merchant.

Mr. Snyder made a motion to approve the minutes of the August 23, 2016 Council Meeting, which was seconded by Mr. Garrett and carried by a 5 – 0 vote.

Mr. Snyder made a motion to approve the minutes of the August 30, 2016 Special Council Meeting, which was seconded by Mrs. Taylor and carried by a 5 – 0 vote.

Fiscal Officer Taylor gave the Financial Reports as follows: The Income Tax collected year to date August 31, 2016 was \$383,081.38. The expenditures for the month of August 2016 were \$158,255.49 in checks and charges. Check numbers 32457 through 32539 were paid from the primary checking account during August 2016 with no checks voided during the month. Direct Deposit Vouchers 356-2016 through 378-2016 and 382-2016 through 398-2016 were also paid during the month of August 2016. The all funds reconciled balance for August 2016 was \$1,426,390.97.

Village Council President's report by Phil Snyder – Mr. Snyder had nothing at this time.

Dispatchers Police Report for August 2016 by Mr. Snyder – Mr. Snyder made a motion to accept the Police Report for August 2016, which was seconded by Mr. Garrett and carried by a 5 – 0 vote.

Mayor's Communication by Deborah Blewitt – Mayor Blewitt said that she and Lori Lee attended the Celebrate Portage dinner at Rootstown's NEO-MED. They honor many different categories in Portage County and the Mayor is hoping that next year the Village of Windham will get honored for a category. The Mayor was also a presenter at this dinner. The Mayor said she had a meeting with Charlie Raimer from NOPEC. Mr. Raimer brought a flyer, that will be mailed out to voters and some other information that was put on the Village's Facebook page. This information was about the gas and electric aggregates that will be on the November ballot. The Mayor said she had a meeting with NDS and they discussed the Village's top ten properties that we would like to see foreclosed. NDS also said the three buildings on Green Meadow that have been boarded up for years, will be torn down, probably within the next 45 days. NDS has also determined that they have 2 buildings that only contain 1 family in each, so they are going to relocate these families, and then those 2 building will be torn down also. The Mayor also asked Council to please make themselves available from 9 – 4 on Friday, October 7, 2016 for the tour with NDS, so that they can show us the properties they have built in Newton Falls, Mantua, Middlefield, Streetsboro, and Ravenna. The Mayor said that the grant the Village

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received from Celebrate Portage was used for a movie night for the children in the community and it was a success.

Prior requests of guests to speak – Mark Russell from Ellerhorst Insurance spoke about the new insurance proposal that he put together for the Village, per the Mayor’s request. Ellerhorst Insurance has been in business for over a hundred years and insures multiple municipalities in the Portage County area. The plan that Mr. Russell proposed is a plan designed specifically for municipalities. Mr. Russell said that he toured all the Village’s properties with the Mayor and it was determined that there were some properties that were not insured properly. The policy is a comprehensive policy that provides liability insurance for board members, police department, water department, and sewer department. Megan Roschek from PEP (Public Entity Pool) spoke about how PEP insures 25 entities in Portage County and over 1500 public entities in the State of Ohio. PEP is a non-accessible member only program that has a 99.8% retention rate with its members. PEP has not had a rate increase in 25 years and all the board members are public entity employees. Ms. Roschek explained that Mr. Russell will be the first contact for the Village of Windham, for any claims that the Village may have. Ms. Roschek then explained the proposed policy in great detail, going over all coverages, both comprehensive and liability. Mr. Russell explained that the Community Center was valued on the policy at its actual cash value, however after the renovations are done with the grant money the Village has received, then the cash value will have to be reevaluated. Ms. Roschek said if the Village’s loss run stays below 60%, the Village qualifies for a 3 year rate lock. Mr. Reitz asked Mr. Russell what municipalities in Portage County he insures. Mr. Russell said he insures Garrettsville Village, Garrettsville Fire District, Community EMS District, Freedom Township, Nelson Township, Windham Township, Suffield Township, Mantua Township, Paris Township, and Mesopotamia Township. Ms. Roschek explained that the category “inland marine” are all the Village’s equipment, which is not an automobile. Charlie Raimer from NOPEC spoke about the upcoming natural gas and electric aggregates that will be on the November ballot. Mr. Raimer showed the Council what the ballot will look like and explained that the wording on the ballot may be a little cryptic, so he is suggesting a flyer be mailed out. Mr. Raimer showed the Council the proposed flyer and pointed out that the Mayor, Council, and Fiscal Officer’s names are on this flyer. Mr. Raimer also showed Council the press release that will be placed on the Village website. Mr. Raimer said he is also planning on having a booth at Oktoberfest, to provide information and answer any questions that the Village residents may have. Mr. Raimer also said that NOPEC offers grants for Economic Development and Energy advising. Mr. Raimer explained to Council that NOPEC will mail the flyer to all the households that voted in the last election on the Village’s behalf. Mr. Reitz said that after reading the flyer, he thinks it is factual and accurate. It is informational and designed for the citizens to quickly and easily find out about the issue and make an informed decision. The Mayor asked Mr. Raimer about a check that Windham Township received from NOPEC a couple of years ago. Mr. Raimer explained that new electric customers receive a grant, no less than \$5,000, for energy efficient capital improvements. Mr. Raimer said that is grant could be used on the remodel of the new administration building. Mr. Snyder made a motion to approve the NOPEC flyer and ratify the Mayor’s action to put the press release on the Village’s website to provide factual information to the citizens of the Village to make an informed decision about both electric and natural gas aggregation. This motion was seconded by Mr. Garrett and carried by a 5 – 0 vote.

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officer’s expenditures for the month of August 2016 as reported. Mr. Snyder seconded this motion and it carried by a 5 – 0 vote.

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Mr. Garrett made a motion to approve the all funds reconciled bank balance for August 2016 in the amount of \$1,426,390.97 as reported. Mr. Snyder seconded the motion which carried by a 5 – 0 vote.

Mr. Garrett read Resolution R-2016-31 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF WINDHAM TO CREATE A THEN AND NOW PURCHASE ORDER(S) TO PAY OHIO EDISON AND LOWES AND DECLARING AN EMERGENCY.** and made a motion to suspend the rules, which was seconded by Mr. Snyder and carried by a 5 – 0 vote. Mr. Snyder made a motion to adopt Resolution R-2016-31, which was seconded by Mr. Garrett. Ms. Moore said she has a problem with Lowes payment. Ms. Patti asked what amount Council had agreed to pay for the dance studio remodel. Mayor Blewitt said that Council agreed to pay no more than \$4,000 for the flooring and all the drywall, mud, tape, and other supplies to finish the space and the dance studio agreed to do all the labor. Ms. Moore said that is not how the contract reads. Fiscal Officer Taylor then provided Council with the signed contract between the Village and Platinum Dance Company. Mr. Reitz reviewed the sign contract and said that any other materials or costs associated with the renovations of the dance studio should be approved by Council in advance. Mayor Blewitt said she was certain that Council discussed the drywall and other materials in a previous meeting. Ms. Moore disagreed. Mr. Reitz said that the current signed contract is what Council approved and that's what needs to be followed. Ms. Moore said that Platinum Dance Company should have read the contract more carefully. Mrs. Taylor said that she remembers Council discussing the walls because there were holes in the walls and Council knew that they would have to be replaced. Mr. Garrett asked what the additional cost, above the \$4,000 for the floor was. Ms. Patti said \$737. Mr. Garrett said that Council could come back and ask for the additional money. Mr. Garrett asked if Council should table this and Mr. Reitz suggested that Council amend the resolution to the amount of \$4,000 payment to Lowes. Fiscal Officer Taylor explained that the Lowes bill had already been paid, that's why it is a then and now purchase order. Mr. Reitz suggested that Council pass the resolution and bring up the \$737 with Platinum Dance Company because the money has already been paid. Ms. Moore and Ms. Patti both agreed that Platinum Dance Company should have read the contract more carefully and checked with the Village before spending the additional \$737. Mr. Snyder said he was convinced that when he went over to look at the building to see what renovations needed to be done, he was convinced that Platinum Dance Company thought the Village was going to purchase all materials and Platinum Dance Company would do all the labor. Ms. Moore pointed out that this is a contract with a specific dollar amount and she does not want to have to answer the question of the tax payers for the amount over \$4,000. Mr. Reitz suggested that since the bill has already been paid, Council should approve the resolution and then discuss in committee how they want to handle the additional \$737. This motion was carried by a 5 – 0 vote.

Mr. Garrett read Ordinance O-2016-20 **BEING AN ORDINANCE AUTHORIZING TRANSFERS AND APPROPRIATIONS 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 Ms. Patti and carried by a 5 – 0 vote. Mr. Garrett made a motion to adopt Ordinance O-2016-20, which was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Mr. Garrett read Resolution R-2016-33 **A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY** and made a motion to

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suspend the rules, which was seconded by Mr. Snyder and carried by 5 – 0 vote. Mr. Garrett made a motion to adopt Resolution R-2016-33, which was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Mr. Garrett made a motion to approve sending Lori Lee and Lindsey Paoella to the CMI Conference in Columbus, Ohio on October 3rd & 4th, 2016 and their necessary travel expenses. This motion was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Safety, Personnel, Rules (SPR) by Phil Snyder

Mr. Snyder made a motion to approve Trick or Treat for the Village of Windham on Monday, October 31, 2016 from 6 – 8 p.m. This motion was seconded by Mrs. Taylor and carried by a 5 – 0 vote.

Mr. Snyder made a motion to approve the Village offices being closed on Monday, December 26, 2016 and Tuesday, December 27, 2016 for Christmas Eve and Christmas Day because both holidays fall on the weekend in 2016. This motion was seconded by Ms. Patti and carried by a 5 – 0 vote.

Mr. Snyder read Resolution R-2016-35 **A RESOLUTION TO APPROVE THE JUDGMENT OF THE MAYOR TO SEPARATE THOMAS DENVIR FROM THE POLICE DEPARTMENT** and made a motion to suspend the rules, which was seconded by Ms. Moore and carried by a 5 – 0 vote. Mr. Snyder made a motion to adopt Resolution R-2016-35, which was seconded by Mr. Garrett. Mr. Reitz explained that in order to start the 10 day appeal process a resolution of the Council actions has to be passed according to the police department's standard operating procedures. This motion carried by a 5 – 0 vote.

Ms. Moore made a motion to enter into executive session for conditions of employment. This motion was seconded by Mr. Snyder and carried by a 5 – 0 vote at 8:16 p.m. Council also invited Mr. Reitz into executive session.

Mr. Snyder made a motion to return from executive session. This motion was seconded by Ms. Moore and carried by a 5 – 0 vote at 8:35 p.m.

Mr. Snyder stated that the Joint Fire District has requested that Council replace Mrs. Rininger as the Council Representative on the Fire Board because she has been unable to attend several meetings. Mr. Snyder said he is going to speak to Mrs. Rininger first and see if she is going to be able to attend the meeting going forward. Mr. Snyder said Mrs. Rininger's past record as a Council Member has always been very good and he wants to give her the opportunity to stay on the Fire Board if she is able to attend the meetings.

Utilities by Scott Garrett

Mr. Garrett read Resolution R-2016-30 **A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR CONSTRUCTION OF THE WINDHAM VILLAGE WWTP PHASE I IMPROVEMRNTS PROJECT BETWEEN THE VILLAGE OF WINDHAM AND THE OHIO WATER DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Mr. Snyder and carried by a 5 – 0 vote. Mr. Garrett made a motion to adopt Resolution R-2016-30, which was seconded by Mr. Snyder. Mr. Garrett said that he thought Minutes of September 27, 2016 Council Meeting

this project fell through. Mayor Blewitt said this is for phase 1. Mayor Blewitt said we did not get the grant for phase 2, however she did apply for a County level grant but she has not heard anything back yet. This motion carried by a 5 – 0 vote.

Service Committee by Scott Garrett

Mr. Garrett read Resolution R-2016-32 **PRELIMINARY PARTICIPATORY LEGISLATION – RC 5521.01 – DRAINAGE IMPROVEMENTS TO NORTH MAIN STREET UNDER THE OHIO TURNPIKE** and made a motion to suspend the rules, which was seconded by Mr. Snyder and carried by a 5 – 0 vote. Mr. Garrett made a motion to adopt Resolution R-2016-32, which was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Economic Development by Phil Snyder

Mr. Snyder read Resolution R-2016-34 **A RESOLUTION TO APPROVE A MARKET STUDY AGREEMENT WITH ALCA ASSOCIATES TO CONDUCT A MARKET STUDY AND ECONOMIC ANALYSIS OF THE VILLAGE OF WINDHAM, AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Ms. Moore and carried by a 5 – 0 vote. Mr. Snyder made a motion to adopt Resolution R-2016-34, which was seconded by Ms. Patti and carried by a 5 – 0 vote.

Parks and Recreation by Mr. Snyder – Mr. Snyder had nothing at the time.

Planning and Zoning by Deborah Blewitt – Mayor Blewitt had nothing at the time.

Solicitor's Report by Tom Reitz – Mr. Reitz had nothing at the time.

Guest Recognition – There was no guest recognition.

Last Chance of Council to Speak on Any Subject – Mr. Garrett wanted to commend the behavior of the children that attended the movie night.

Council looked at the calendar for October. The Council Meeting will be Tuesday, October 25th, 2016 at 7:00 p.m. and the committee meetings will be the first Tuesday, October 4, 2016 and the second Tuesday October 11, 2016, both starting at 6:00 p.m.

Mr. Snyder made a motion to adjourn the meeting which was seconded by Mrs. Taylor and by unanimous vote the meeting was adjourned at 8:46 p.m.

Respectfully submitted,

Attest,

Cheree M. Taylor, Clerk of Council

Deborah Blewitt, Mayor

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

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