

Minutes of Regular Council Meeting

Held September 24, 2019

At 7:00 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.

Roll Call: Cheryl Belknap – present Phil Snyder – present
Terrie Altieri – present Cindy Cale – present
Cheryl Taylor – present Stacy Brown – present

Also present were: Tom Reitz, Tom Brett, Debbie Blewitt, Sheila Moore, Denise Bly, Gail Belknap, Pat Schaffer, Donna Wortman, Ted DeSalvo, Colleen DeSalvo, and Eric Breiding.

Mr. Snyder made a motion to approve the minutes of the August 27, 2019 Regular Council Meeting, which was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mrs. Altieri made a motion to approve the minutes of the September 3, 2019 Special Council Meeting, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Fiscal Officer Taylor gave the Financial Reports as follows: The Income Tax collected year to date August 31, 2019 was \$366,915.18. The expenditures for the month of August 2019 were \$123,315.61 in checks and charges. Check numbers 35389 through 35472 were paid from the primary checking account during August 2019 with no checks voided during the month. Direct Deposit Vouchers 407-2019 through 432-2019 and 438-2019 through 457-2019 were also paid during the month of August 2019. The all funds reconciled balance for August 2019 was \$1,720,742.30.

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

Dispatchers Police, Fire and Rescue Reports for August 2019 by Mrs. Taylor – Mrs. Taylor made a motion to accept the Police, Fire and Rescue Reports for August 2019, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Mayor's Communication by Scott Garrett – Mr. Garrett said he wanted to thank the people that put up the signs for the Octoberfest. Mr. Garrett said fireworks are going to be added this year and he thinks it will be a great success. Mr. Garrett said he hopes the community gets excited about the event and we have a lot of people show up. Mr. Garrett said the paving on 303 had begun.

Prior requests of guests to speak – None

Finance by Terrie Altieri

Mrs. Altieri made a motion to approve the Fiscal Officer's expenditures for the month of August 2019 as reported. Mr. Snyder seconded this motion and it carried by a 6 – 0 vote.

Mrs. Altieri made a motion to approve the all funds reconciled bank balance for August 2019 in the amount of \$1,720,742.30 as reported. Mr. Snyder seconded the motion which carried by a 6 – 0 vote.

Mrs. Altieri read Ordinance O-2019-17 **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 Mr. Snyder and carried by a 6 – 0 vote. Mrs. Altieri made a motion to adopt Ordinance O-2019-17, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Mrs. Altieri read Resolution R-2019-18 **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 suspend the rules, which was seconded by Mr. Snyder and carried by a 6 – 0 vote. Mrs. Altieri

made a motion to adopt Resolution R-2019-18, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Mrs. Altieri read Ordinance O-2019-18 **BEING AN ORDINANCE AUTHORIZING THE AMENDING AND/OR SUPPLEMENTING OF THE PERMANENT APPROPRIATIONS SET FORTH IN ORDINANCE O-2019-4 ON FEBRUARY 26, 2019 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 Mr. Snyder and carried by a 6 – 0 vote. Mrs. Altieri made a motion to adopt Ordinance O-2019-18, which was seconded by Mr. Snyder and carried by a 6 – 0 vote.

Safety, Personnel, Rules (SPR) by Phil Snyder – Mr. Snyder had nothing at the time.

Utilities by Cheryl Taylor – Mrs. Taylor had nothing at the time.

Service Committee by Stacy Brown – Ms. Brown had nothing at the time.

Economic Development by Cindy Cale – Mrs. Cale had nothing at the time.

Parks and Recreation by Cheryl Belknap

Ms. Belknap made a motion to hold Trick or Treat on Thursday, October 31, 2019 from 6 – 8 p.m. This motion was seconded by Mrs. Altieri and carried by a 6 – 0 vote.

Mr. Snyder said that the American Legion has agreed to donate \$500 towards the fireworks at the Octoberfest. Debbie Blewitt said the budget for the fireworks went from \$3,000 to \$5,000. Debbie Blewitt said she would get Trick or Treat on the electronic sign by the Fire Department and Denise Bly will put it in the Villager.

Planning Commission by Scott Garrett – Mr. Garrett had nothing at the time.

Solicitor’s Report by Tom Reitz

Mr. Reitz said he has looked into the code for the proper procedure to allow citizens to avoid making quarterly payments on their income tax. Mr. Reitz said there does appear to be an avenue to do that, however his calls to RITA have not been returned so he doesn’t know what their views on that would be. Mr. Reitz said he can put something together for that, however he does not recommend doing it mid-year, so he feels that it should be accomplished by January 1, 2020. Mr. Reitz said if it turns out the code has to be changed, Council will probably see legislation in October.

Guest Recognition – Sheila Moore asked if vendors or contractors owe fees, such as a Housing Rental License Fee, should they be allowed to do work for the Village. Sheila Moore said she feels that these people should not have the benefit of working and getting paid by the Village until they pay their past due fees. Mr. Garrett said that is a valid point, but right now there is nothing in the ordinances stating this, so that would have to be done. Pat Schaffer asked Mr. Garrett if he ever called the Dollar Tree from the number that she gave him. Mr. Garrett said yes he did and their response was that they are interested, however they have nothing going on at this time, but if that changes they will get in touch with the Village. Pat Schaffer said she understands that the streets and sidewalks belong to the city. Mr. Garrett said the streets do, however the sidewalks are the property owner’s responsibility that they are in front of. Pat Schaffer said her neighbor had a fire pit on the sidewalk and she can’t get around it, so her son moved it to the neighbor’s yard. Pat Schaffer said they moved the dumpster to the landlord’s yard and she is handicapped and has to put her garbage in the car and drive it to the dumpster and she said if she falls and gets hurt she going to put a lawsuit on the Village. Mr. Garrett asked if the fire pit was on the front sidewalk and Pat Schaffer said it is on the back sidewalk. Mr. Garrett said if it’s in the front the Village will keep it clear, but the one in the back is on private property. Mr. Garrett asked Mr. Reitz if there was anything legally the Village can do if a renter leaves a hazardous condition between two apartments. Mr. Reitz said there are two types of nuisances, one is a public nuisance, that affects the community at large (blocking the road or sidewalk) and in this instance the Village does have the ability to bring a legal suit to correct this. Mr. Garrett explained that the sidewalk runs between two privately owned apartment buildings. Mr. Garrett explained that the obligation to maintain the sidewalk goes to the property owner that the sidewalk is in front of. Mr. Garrett said he would get ahold of Bob Newman to see if there could be something done about the dumpster because Ms. Schaffer should be able to access that. Pat Schaffer asked if Dale Korman was ever going to come back

to day shift. Mr. Garrett explained that the Police Chief schedules his employees as he sees fit. Pat Schaffer said she trusts Dale Korman more than any other police officer. Mr. Reitz said he would like to finish his explanation, there is also a private nuisance, which is confined to private property and does not affect the community as a whole, and the Village cannot help on those. Mr. Garrett said he would swing by Pat Schaffer's house to see the sidewalk she is talking about. Pat Schaffer asked if anyone was going to put lines on the road that she has been asking for. Mr. Garrett said Community is not up right now to be paved, but when we do repave them we can have lines put on them. Mr. Garrett said he will take a look at the cost. Donna Wortman said there are a lot of cars speeding on Community Road and there are a lot of little kids around there. Mr. Garrett said he can have the Police spend some extra time on that road so that when people see a cruiser they will slow down. Denise Bly asked about Resolution R-2019-18, is that adding a new levy. Mr. Garrett said it is just certifying the rates to the County Auditor, no new levy. Denise Bly asked if the Village collects income tax quarterly and Tom Reitz said that is what the code says and that is what Council is looking to possibly change by legislation. Denise Bly asked about the Zoning change at the Special Council Meeting on September 3, 2019 if it passed and Mr. Garrett said yes.

Last Chance of Council to Speak on Any Subject – Debbie Blewitt said the she wanted to let Pat Schaffer know that the reason the dumpster was moved because there were complaints that the dumpster was in the line of vision.

Council looked at the calendar for October. The Committee meetings (Parks & Recreation and Committee of the Whole) will be Tuesday, October 8, 2019 at 6:00 p.m. The Council Meeting will be Tuesday, October 22, 2019 at 7:00 p.m. Trick or Treat will be Thursday, October 31, 2019 from 6 – 8 p.m. Octoberfest will be Saturday, October 12, 2019 from 1 – 8 p.m.

Mr. Snyder made a motion to adjourn the meeting which was seconded by Mrs. Altiere and by unanimous vote the meeting was adjourned at 7:36 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.

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