

Village of Windham, Ohio
Minutes of Council Meeting

Held June 27, 2017

The meeting was preceded by a Public Hearing on Tuesday, June 27, 2017 at 6:50 p.m. to allow discussion of Resolution R-2017-13 (2018 Budget). Those present for the Public Hearing were Jim Moore, Patty Moore, and Sheila Moore. Jim Moore asked if the Village was losing more of the Local Government Funds. Mayor Blewitt said from everything she has read, it appears like that is in fact true. Mr. Garrett explained that this cycle the Village should not lose anything, however the formula the County uses to determine city, village, and township shares is coming up for review and that happens every 10 years. Mr. Garrett explained the process of determining the formula. Either the Budget Commission determines the formula or the majority of cities, townships, and villages have to come up with an agreement. However, the largest city and the County have veto privileges. There were no further questions at the Public Hearing.

At 6:55 p.m. The 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 – absent	Cheryl Belknap – present
	Scott Garrett – present	Phil Snyder – present
	Cheryl Taylor – present	Stacy Brown – present

Also present were: Thomas Reitz, Ryan Wagner, Sheila Moore, Patty Moore, Jim Moore, Joe Reed, and Eric Breiding.

Mr. Snyder made a motion to approve the minutes of the May 24, 2017 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 May 31, 2017 was \$256,401.31. The expenditures for the month of May 2017 were \$129,368.34 in checks and charges. Check numbers 33195 through 33269 were paid from the primary checking account during May 2017 with one check voided, number 33227, during the month. Direct Deposit Vouchers 225-2017 through 252-2017 and 257-2017 through 280-2017 were also paid during the month of May 2017. The all funds reconciled balance for May 2017 was \$1,509,179.84.

Village Council President's report by Scott Garrett – Mr. Garrett said he visited the New Administration Building and the renovations are progressing and the building is starting to look really nice.

Dispatchers Police, Fire and Rescue Reports for May 2017 by Mrs. Taylor – Mrs. Taylor made a motion to accept the Police, Fire and Rescue Reports for May 2017, which was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Mayor's Communication by Deborah Blewitt – The Mayor said the Renaissance Center is looking to add a free clinic involving University Hospitals and Kent State Nursing Students. There will be a medical survey in this month's water bill and the Village is asking residents to return this survey when they pay the water bill. This survey is going to be used to determine the need for this clinic in town. Mayor Blewitt said that August 11-13, 2017 will be the 2nd annual Community Yard Sale. The cost is \$10 to be placed on the map and this is due July 28, 2017.
Minutes of June 27, 2017 Council Meeting

The Mayor said that Octoberfest will be October 21, 2017. The Mayor said she called Aaron King at Skylanes Bowling to see if he would be interested in having the Queen of Hearts drawing here in town during the Octoberfest and that would possible mean that Octoberfest would be a two day event. The Mayor said that Octoberfest will include the same activities as last year: food trucks, wine tasting, craft beer tasting, corn hole tournament, and chili cook-off, which Hanford Dixon will be judging again this year. The Mayor said the tentative date to move into the New Administration Building is the end of July 2017. The Mayor said we did figure some ways to save some money on the move; however we are upgrading our servers because they are over 10 years old.

Prior requests of guests to speak – None

Finance by Scott Garrett

Mr. Garrett made a motion to approve the Fiscal Officer's expenditures for the month of May 2017 as reported. Mr. Snyder seconded this motion and it carried by a 5 – 0 vote.

Mr. Garrett made a motion to approve the all funds reconciled bank balance for May 2017 in the amount of \$1,509,179.84 as reported. Mr. Snyder seconded the motion which carried by a 5 – 0 vote.

Mr. Garrett read Resolution R-2017-12 **A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER TO MAKE THE FOLLOWING TRANSFERS BETWEEN THE WATER AND SEWER OPERATING FUNDS, RESPECTIVELY, AND THE RESPECTIVE DEBT SERVICE AND DEBT SERVICE RESERVE FUNDS TO MEET CALENDAR 2017 DEBT SERVICE REQUIREMENTS 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-2017-12, which was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Mr. Garrett made a motion to accept the old UAN computer as a donation to the Village of Windham. This motion was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Mr. Garrett read Resolution R-2017-13 **A RESOLUTION APPROVING THE 2018 PROPOSED BUDGET AND AUTHORIZING THE FISCAL OFFICER TO SUBMIT THE BUDGET TO THE PORTAGE COUNTY AUDITOR AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Mr. Snyder and carried by 5 – 0 vote. Mr. Garrett made a motion to adopt Resolution R-2017-13, which was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Safety, Personnel, Rules (SPR) by Phil Snyder

Mr. Snyder read Ordinance O-2017-14 **AN ORDINANCE ESTABLISHING THE LOCATION OF THE FIVE (5) MOST PUBLIC PLACES IN THE VILLAGE OF WINDHAM IN CONFORMITY WITH REVISED CODE §731.25**. This was a third read. Mr. Snyder made a motion to adopt Ordinance O-2017-14, which was seconded by Ms. Belknap and carried by a 5 – 0 vote.

Mr. Snyder made a motion to approve Ryan Wagner carrying over 24 hours of vacation time. This motion was seconded by Ms. Belknap and carried by 5 – 0 vote.

Minutes of June 27, 2017 Council Meeting

Mr. Snyder made a motion to approve moving Joe Reed from auxiliary officer to part-time officer. This motion was seconded by Mrs. Taylor and carried by a 5 – 0 vote.

Eric Breiding said that National Night Out will be Tuesday, August 1, 2017. The WVFD is splitting the cost of t-shirts with the Police Department. Chief Breiding said he will need Council's help volunteering for this event. The Chief said that he is about 90% in securing the funds to have a pig roast, which he hopes will draw a bigger crowd. The parade will kick the event off at 5:00 p.m. and it will run until 9:00 p.m. The Chief said the American Legion and Circle K have both given monetary donations and other local businesses have made donations. Activities will include a bounce house, sprinklers, and corn hole. Several local churches and businesses will have tables.

Utilities by Cheryl Taylor

Mrs. Taylor read Resolution R-2017-14 **A RESOLUTION AUTHORIZING THE MAYOR AND VILLAGE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH ODOT TO REMOVE AND REPLACE THE STORM DRAINAGE SYSTEM ON THE EAST SIDE OF NORTH MAIN STREET UNDER THE OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION'S BRIDGE, LYING WITHIN THE VILLAGE OF WINDHAM 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 asked if this was the project that was being totally funded by ODOT. Mayor Blewitt said yes and it should help with the sewer smell under the Turnpike Bridge and also the drainage issue by the Hideaway. Mrs. Taylor made a motion to adopt Resolution R-2017-14, which was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Service Committee by Scott Garrett

Mr. Garrett read Ordinance O-2017-15 **AUTHORIZING THE SALE OF MUNICIPAL PROPERTY FOLLOWING BID AND DECLARING AN EMERGENCY** and made a motion to suspend the rules, which was seconded by Ms. Belknap and carried by a 5 – 0 vote. Mr. Garrett made a motion to adopt Ordinance O-2017-15, which was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Mr. Garrett read Resolution R-2017-15 **A RESOLUTION TO AUTHORIZE MAYOR AND FISCAL OFFICER TO ACCEPT 7 PARCELS OF PROPERTY LOCATED WITHIN THE VILLAGE** 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-2017-15, which was seconded by Mr. Snyder and carried by a 5 – 0 vote.

Economic Development by Phil Snyder – Mr. Snyder had nothing at the time.

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 said that Tom Brett has sent Anthony Hood a zoning violation letter in regards to the mobile home that was placed on the corner lot on Snow Road. Mr. Hood has 30 days in which to comply with the letter. Mr. Reitz said he drove by the property before the Council Meeting and received a very nasty look, so he is anticipating filing a suit on the Village's behalf to remedy this zoning violation in the next two to three weeks.

Minutes of June 27, 2017 Council Meeting

Mr. Reitz said the County Building Department granted a two month extension of time to clean up the burned out property on North Main Street. Mr. Reitz said he was not consulted about this extension. Mr. Reitz said if this property is not cleaned up in the next two months everything is ready to bring an enforcement action against the owner of the property. Mr. Snyder asked Mr. Reitz if Mr. Hood sold the property on Snow Road. Mr. Reitz said he did not know if Mr. Hood sold that property. Mr. Reitz explained that if you have a non-conforming use that was legal when it was approved, you have the right to continue that use. However, Mr. Reitz said the Village has no records that there was ever any approval to put a mobile home on that corner lot on Snow Road. This property was not zoned residential. Mr. Reitz said that the property owners failed in the first instance to prove that the non-conforming use was legally established. Mr. Reitz said that after that, assuming the non-conforming use was legal for the purpose of this discussion, if the property owner discontinues the use, they only have two years to resume the non-conforming use. Mr. Reitz said there was a mobile home on that property several years ago that burnt down and was left on the property. Mr. Reitz said that even if the property owner could establish legal non-conforming use, that non-conforming use was lost over the two year period. Mr. Reitz said because the rapport with the property owner has been poor, he thinks the judge will have to make a decision on this. Mr. Reitz said it was a shame because the mobile home is pretty nice and the property is much cleaner than it has been in the past and Snow Road is better than it had been in the past. Mr. Reitz said there is not a whole lot the Village can do because the property owner will not speak to Tom Brett and the property is zoned industrial. Mr. Reitz said he and the Mayor have had some preliminary discussions on the zoning code and whether there should be some changes to the zoning code. Council could decide to make a residential structure a conditionally permitted use in an industrial district; however Mr. Reitz does not recommend that. Mr. Garrett said that even if Council did want to do that, he does not believe there is enough frontage to put a residential structure there.

Guest Recognition – Jim Moore asked what property was sold in Ordinance O-2017-15. The Mayor said it is the little piece of property where the old telephone building is located between Wert's and Honabach's. The Village received one bid for the amount of \$500. Jim Moore asked about the 7 parcels of land in Resolution R-2017-15. The Mayor said six of the properties are on Community Road and are currently sitting vacant with no buildings on them. The Mayor said the other property is on Grove Court behind the bank. The Mayor said the other white building by the bank that was being used as transitional housing and the three vacant buildings by Katherine Thomas are in the process of being demolished and the land turned over to the Village. The Mayor said that Economic Development is going to start working on developing the vacant land in the Village. Todd Peetz from Regional Planning and Stacy Brown from NDS want to be involved in this project.

Last Chance of Council to Speak on Any Subject – Nothing.

Council looked at the calendar for July. The Council Meeting will be Tuesday, July 25th, 2017 at 7:00 p.m. and the committee meetings will be the second Tuesday, July 11th, 2017 and the third Tuesday, July 18th, 2017, both at 6:00 p.m. Mr. Snyder made a motion to approve the July calendar, which was seconded by Mrs. Taylor and carried by a 5 – 0 vote.

Mr. Snyder made a motion to adjourn the meeting which was seconded by Mrs. Taylor and by unanimous vote the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Attest,

Minutes of June 27, 2017 Council Meeting

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.