

RECORD OF PROCEEDINGS

Minutes of Regular Council

Meeting

national
graphics

National Graphics Corp., Coles., O. Form No. 1097

Held Council Chambers 7:30 P.M.

September 17, 1979

Mayor William Peloquin opened the meeting with the Pledge to the Flag. Clerk-Treasurer, Helen L. Coleman, called the Roll: Hope Niehausmyer, Present; Donald Spurgeon, Present; John Fletcher, Present; John Harbal, Present; Eric Hise, Present; Nicholas Wohn, Present. Six (6) Present.

John Fletcher moved to waive the reading of the minutes of the previous meeting, seconded by Hope Niehausmyer. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays so the motion was passed.

Donald Spurgeon moved to pay the bills, seconded by John Fletcher. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, and no (0) Nays. So the motion passed.

Hope Niehausmyer mentioned several items that Council will have to decide on.

1. It has been suggested that we provide an area on Main Street that will either restrict that area for handicapped parking or an unloading area for the handicapped. The Safety Committee will take this under advisement.
2. Mrs. Mittendorf mentioned that there is a four (4) foot easement from her store property to the "Walk-Thru" property. She wishes to make legal provision for this easement. Nicholas Wohn is looking into this situation.
3. The new sewer on Lincoln Street was discussed. Access agreements will be up to the developer.

Council looked over further information on the refinishing of the tennis courts in the park. No decision was made at this time.

Nicholas Wohn asked Council's opinion on putting a catch basin in the sewer that will be installed in the Walk-Thru. He said that they have had problems in the past with water running off the alley onto property in the area. The catch basin would prevent this in the future. Council was in agreement.

Attorney Young was in Council representing Americare Corp. Mr. Young came from Atlanta, Georgia to help Council with the legal document that needed to be passed and signed to form the C.I.C. Committee. To do this Mr. Young asked that Council adjourn their meeting allowing the CIC Board to convene their meeting. The first order of business for the CIC was to elect officers. They were elected as follows: Mayor William Peloquin, President; Councilman John Harbal, Vice-President; and Edith Nickli, Secretary-Treasurer. John Harbal moved that the "Code of Regulations" be adopted, seconded by Gladys Donley. All members were in favor so the motion was passed. Donald Spurgeon moved to adopt the Plan Agreement, seconded by John Harbal. All members were in favor so the motion passed.

The CIC Committee then adjourned their meeting and the Regular Council Meeting was convened.

Mr. Young presented Ordinance No. 36-79 providing AN ORDINANCE OF THE COUNCIL OF THE VILLAGE OF GENOA, OHIO, APPOINTING THE COMMUNITY IMPROVEMENT CORPORATION OF GENOA AS THE AGENT OF SAID VILLAGE FOR THE INDUSTRIAL, COMMERCIAL, DISTRIBUTION AND RESEARCH DEVELOPMENT OF GENOA. Donald Spurgeon moved that the rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with, in accordance with Section 705.16, Ohio Revised Code. John Fletcher seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays, so the motion was passed. The Ordinance was then read the first and second times by title only. The Ordinance was then read the third time in full. John Fletcher moved that the Ordinance No. 36-79 be passed as an emergency measure. John Harbal seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays, so the motion passed. Hope Niehausmyer moved that the Ordinance No. 36-79 be passed, seconded by Eric Hise. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea, John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays, so the motion was passed.

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Minutes of Regular Council (cont.) Page 2

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Held Council Chambers 7:30 P.M. September 17, 19 79

Mr. Young then presented Resolution No. 37-79 providing A RESOLUTION OF THE VILLAGE OF GENOA, OHIO, AUTHORIZING THE ISSUANCE OF \$2,510,000 OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF ASSISTING AMERICARE CORP. OR A SUBSIDIARY THEREOF IN THE FINANCING OF A NURSING HOME LOCATED IN THE VILLAGE OF GENOA, OHIO. Nicholas Wohn moved that the rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with, in accordance with Section 705.16, ORC. Hope Niehausmyer seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays, so the motion passed. The Resolution was then read the first and second times by title only. The Resolution was then read the third time, in full. Donald Spurgeon moved that the Resolution No. 37-79 be passed as an emergency measure. Hope Niehausmyer seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays, so the motion passed. Nicholas Wohn moved that the Resolution No. 37-79 be passed. John Harbal seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays, so the motion was passed.

Mr. Bergman called on Council on behalf of Columbia Gas Co. He discussed a raise in gas rates and presented the new proposed contract between the gas Co. and the village. Mayor Peloquin turned the contract over to Committee and asked that they present their views on it at the next regular meet.

Jaen Mannik brought to Council an agreement with T.M.O.G. for the continuation of an area wide water quality management planning program. Nicholas Wohn moved that the Mayor sign the agreement, seconded by John Fletcher. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays, so the motion passed. Mr. Mannik asked Council if they had made a decision on the contract for the resurfacing of Main Street. John Fletcher moved that pursuant to the authority granted in Ordinance No. 29-79 the Main Street improvement contract be granted to the S.E. Johnson Company. Donald Spurgeon seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Nay. Five (5) Yeas, one (1) Nay, the motion passed.

The Sanitary Sewer project for 2nd Street (Cherry Street) was then brought before Council. Hope Niehausmyer presented an Ordinance No. 31-79. AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF SECOND STREET AND VARIOUS ALLEYS, BETWEEN CERTAIN TERMINI, BY CONSTRUCTING A SANITARY SEWER AND ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY. Hope Niehausmyer moved that the rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with, in accordance with, Section 705.16, ORC. Nicholas Wohn seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas no (0) Nays, so the motion passed. The Ordinance was then read the first and second times by title only. The Ordinance was then read the third time in full. Nicholas Wohn moved that the Ordinance No. 31-79 be passed as an emergency measure. Hope Niehausmyer seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays, so the motion passed. John Harbal moved that the Ordinance No. 31-79 be passed. The motion was seconded by Nicholas Wohn. Roll call vote: Hope Niehausmyer, Yea; John Harbal, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, and no (0) Nays, so the motion passed.

Hope Niehausmyer presented an Ordinance No. 32-79 providing AN ORDINANCE APPOINTING JUDY BASTUBEE TO SIGN PAYROLL CHECKS OF THE VILLAGE OF GENOA, OTTAWA COUNTY, OHIO IN THE ABSENCE OF THE VILLAGE CLERK-TREASURER. Hope Niehausmyer moved the rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with in accordance with Section 750.16, Ohio Revised Code. Donald Spurgeon seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six Yea; no nays, so the motion passed. The Ordinance was then read the first and second times by title only. The Ordinance was then read the third time in full. Nicholas Wohn moved that the Ordinance No. 32-79 be passed as an emergency measure. Hope Niehausmyer seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea;

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Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays, so the motion passed. John Harbal moved that the Ordinance No. 32-79 be passed. The motion was seconded by Nicholas Wohn. Roll call vote: Hope Niehausmyer, Yea; John Harbal, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, and no (0) Nays, so the motion passed.

Mayor Peloquin asked John Fletcher to serve on the Ottawa County Committee to promote the passage of a .3 mill levy. He will attend a meeting September 26, 1979.

John Fletcher presented Ordinance No. 23-79 for the final reading. Ordinance No. 23-79 is an ORDINANCE CREATING THE POSITIONS OF SPECIAL AUXILLARY MARSHALL, ALSO DESIGNATED AS POLICE CADET AND CAPTAIN OF THE POLICE AUXILLARY. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, no (0) Nays, so the motion passed.

George Bowland presented an Ordinance No. 38-79 providing AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK-TREASURER OF THE VILLAGE OF GENOA, OTTAWA COUNTY, OHIO TO ENTER INTO A CONTRACT WITH MICHAEL LANDSCAPING COMPANY, IN ACCORDANCE WITH SECTION 735.051 OHIO REVISED CODE, THE COUNCIL FINDING A REAL PRESENT EMERGENCY AND, DECLARING AN EMERGENCY. Nicholas Wohn moved that the rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with, in accordance with Section 705.16, ORC. Donald Spurgeon seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Yea; Eric Hise, Yea; Nicholas Wohn, Yea. Six (6) Yeas, and no (0) Nays, so the motion passed. The Ordinance was then read the first and second times by title only. The Ordinance was then read the third time, in full. Nicholas Wohn moved that the Ordinance No. 38-79 be passed as an emergency measure. Donald Spurgeon seconded the motion. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Nay; Eric Hise, Yea; Nicholas Wohn, Yea. Five (5) Yeas, one (1) Nay, so the motion passed. Donald Spurgeon moved that the Ordinance No. 38-79 be passed. The motion was seconded by Eric Hise. Roll call vote: Hope Niehausmyer, Yea; Donald Spurgeon, Yea; John Fletcher, Yea; John Harbal, Nay; Eric Hise, Yea; Nicholas Wohn, Yea. Five (5) Yeas, one (1) Nay, so the motion passed.

John Fletcher moved to adjourn at 12:30.

Helmut P. Coleman

Clerk-Treasurer

Mayor

