

## RECORD OF PROCEEDINGS

Minutes of

Regular Council

Meeting

national  
graphics

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

Held Council Chambers

7:30 P.M.

December 17, 1979

Mayor William Peloquin opened the meeting with the pledge to the flag, and appointed Hope Niehausmyer as acting Clerk-Treasurer. Helen Coleman, the Clerk-Treasurer was absent because of illness.

Roll Call: John Harbal, Present; John Fletcher, Present; Donald Spurgeon, Present; Hope Niehausmyer, Present; Nicholas Wohn, Absent. Eric Hise arrived at 8:15.

The minutes of the previous meeting were read. John Fletcher asked that paragraph five (5) on page three (3) to be eliminated to the part where it reads: @For the present Mr. Vance----. Roll call vote: John Harbal, Yea; Eric Hise, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Nicholas Wohn, Absent; Hope Niehausmyer, Yea. Five (5) Yeas, no (0) Nays, and one (1) Absent. The motion passed.

I, Hope Niehausmyer, apologize for failing to include in the corrections to the minutes a statement that I had mentioned in the discussion of the minutes, but forgot to restate it in the amended corrections, in that "Mayor Peloquin and Council agreed to pay the Spieker bill." I stated that an individual poll or vote was not taken from Council. (I would not be justified in my later refusal to sign the voucher if I had actually voted for paying the bill.) So this correction was not included in the vote of accepting the minutes.

John Fletcher moved to pay the bills, except the Spieker of \$57,376.00, seconded by Donald Spurgeon. Hope Niehausmyer refused to sign the voucher for \$57,376.00, to the Spieker Company, stating that there were no Ordinances for any of this amount of change orders and she requested to see the itemized bills that made up this total voucher of the bills. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. Five (5) Yeas, no (0) Nays, and one (1) Absent. The motion passed.

Jim Purney was present at Council and requested an additional Assistant Chief for the Fire Department. Hope Niehausmyer presented and moved that Ordinance No. 49-79 AN ORDINANCE AUTHORIZING AN ADDITIONAL ASSISTANT FIRE CHIEF FOR THE CLAY GENOA VOLUNTEER FIRE DEPARTMENT, AND DECLARING AN EMERGENCY. The motion was seconded by Eric Hise. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. Five (5) Yeas; no (0) Nays, and one (1) Absent. The motion passed. John Harbal moved to pass Ordinance No. 49-79 as an emergency measure, seconded by Eric Hise. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. John Harbal moved to pass Ordinance No. 49-79, seconded by Eric Hise. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. Five Yeas, no nays, and one Absent. The motion passed.

Hope Niehausmyer presented Ordinance No. 44-79 AN ORDINANCE ACCEPTING ANNEXATION APPLICATION 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 731.17, ORC. John Fletcher seconded the motion. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. 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. John Harbal moved that Ordinance No. 44-79 be passed as an emergency measure in accordance with Section 731.30, ORC. John Fletcher seconded the motion. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. Five (5) Yeas, no (0) Nays, and one (1) Absent. The motion passed. Hope Niehausmyer moved that Ordinance No. 44-79 be passed, seconded by John Harbal. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. Five (5) Yeas, no (0) Nays, and one (1) Absent. The motion passed. Due to the fact that the Village Solicitor, George Bowland, realized, after the reading that the 60 day period had not elapsed. This time period did not start until until October 23, 1979, when the transcript was received in the Clerk-Treasurer's Office. This matter was tabled until the next meeting.

## RECORD OF PROCEEDINGS

Minutes of Regular Council (cont.) Page 2

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Jaan Mannik reported that the Second Street sewer project was now completed and ready for anyone to tap into it.

Carl Weaver talked about Cable TV and gave us some information on a franchise for this. George Bowland suggested that they prepare a franchise and present it to Council for their approval.

The acting Clerk-Treasurer, presented the bid from Prescott, Ball and Turban for \$86,000.00. John Fletcher moved to accept the notes for \$86,000.00 Village of Genoa, Ohio, Street Improvement G.O. Bond Anticipation Notes dated December 24, 1979, and maturing December 24, 1980, without option of prior payment, bearing interest at the rate of 8%. Donald Spurgeon seconded the motion. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. Five (5) Yeas, no (0) Nays, and one (1) Absent. The motion passed.

Hope Niehausmyer presented her letter of resignation effective midnight on the night of December 31, 1979, because of her election to the office of Mayor of the Village of Genoa, Ottawa County, Ohio, at the General Election, which was held on November 6, 1979. Eric Hise moved to accept her resignation, seconded by John Harbal. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed.

Clerk-Treasurer, Helen Coleman, will take care of the matter of the Mittendorf license next Council meeting because it requires her signature.

John Harbal presented Ordinance No. \_\_\_\_\_ AN ORDINANCE AUTHORIZING ADVERTISING FOR BIDS FOR A NEW DUMP TRUCK AND A NEW 3 TON PICK UP FOR THE STREET DEPARTMENT AND ENTERING INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER, AND DECLARING AN EMERGENCY. John Harbal moved to waive the reading of the Ordinance three times Donald Spurgeon seconded the motion. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. Five (5) Yeas, no (0) Nays, and one (1) Absent. The motion passed. John Fletcher moved to pass Ordinance No. \_\_\_\_\_ as an emergency measure, seconded by Donald Spurgeon. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. Five (5) Yeas, no (0) Nays, and one (1) Absent. The motion passed. Eric Hise moved that Ordinance No. \_\_\_\_\_ be passed. Roll Call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, Yea; Nicholas Wohn, Absent. The motion passed.

John Harbal made a motion, seconded by Donald Spurgeon, that the Clerk-Treasurer send a copy of the budget reconciliation to the Board of Public Affairs. Roll call vote: Eric Hise, Yea; John Harbal, Yea; John Fletcher, Yea; Donald Spurgeon, Yea; Hope Niehausmyer, yea; Nicholas Wohn, Absent. Five (5) Yeas, no (0) Nays, and one (1) Absent. The motion passed.

Tommi Bergman reported that the project of the restoration of the Town Hall is finished. There will be another quarterly report. Bauer, Stark, and Lashbrook agreed to pay \$488.00 to replace the items that they felt were in error. It was suggested that a meeting be set up with the architect. Mr. Ogawa, Walter Koenker, and the Grants Committee to come to a settlement on the items which are not satisfactory. Mayor Peloquin asked Donald Spurgeon to co-ordinate the meeting with as many Council members that were available.

*Hope L. Niehausmyer*  
Acting Clerk-Treasurer

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Mayor