

RECORD OF PROCEEDINGS

179

Minutes of

VILLAGE OF GENOA

Meeting

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

Held OCTOBER 19 1987

19

Mayor Michael Despones called the meeting to order with the pledge to the flag. Clerk/Treasurer Barbara Smith called the roll as follows: Bower, present, Harbal Present, Verkin present, Donley present, Skilliter present and Miller present (6)

Clerk Treasurer asked that a date be corrected in the Mayors report to October 12 1987 from October 19, 1987.

Bower moved Harbal seconded to approve the minutes as corrected. Roll call vote: Yeas, Bower, Harbal, Verkin, Donley, Skilliter and Miller. (6) Nays. None.

Engineers report: Ray Saneholtz gave his report on the E.P.A. letter received concerning the sewers and lagoon projects. They are revising the requirements for the lagoon but are still insisting on a final plan to be finalized over the next 3 months. Additionally along with the plan will be the financial capability of financing the project. The Utilities and Finance Committees will work on a plan as to the time frame for payment and how to pay.

Mr. Saneholtz reported on the meeting with the committee concerning the Town Hall parking lot and cleaning of packer creek. He presented a proposed three phase estimate of costs.

Mr. Sandholtz reported on the camera work with regards to the 12th sewer problem. It was discovered that the sewer pipes are out of line in as much as the camera could not get through the line. He stated that any corrections or changes in the sewer should coincide with the over-all plan for the Village as mandated by E.P.A.

Mayor Despones suggested that the problem at Angelo Derricks should be checked out to make certain that it was not on his property.

Ron Davis president of Genoa Civic Theatre gave a financial report to council concerning the amount of money spent and labor time on projects in the Town Hall Opera House. He stated that a total of 528.5 man hours at \$10 per hour had been spent and a materials cost of \$868.83, totaling \$6153.83. This is in addition to dressing room lights, dressing room curtain, stage curtain, window dressings etc. The next major project will include the tiling of the dressing room floor.

Mark Mulligan represented Donald Traub who is requesting a hearing on a zoning variance rejection by the Zoning Board of Appeals. Mr. Traub is asking for a variance to install a fence around a side yard swimming pool. Mr. Traub had not obtained a permit to erect the pool. There was some discussions regarding the filing dates for the appeal.

Skilliter moved and Bower seconded to proceed with the appeal. Roll call vote Yeas: Bower, Verkin, Harbal Donley, Skilliter and Miller. (6) Nays None.

Resolution 73-87

Donley moved and Bower seconded to not grant the variance and affirm the decision of the Zoning Board of Appeals.

The solicitor stated that the council should vote on the issue of the side yard fence and not the pool permit. Bower stated the pool had been built before a permit had been obtained.

Roll call vote: Yeas; Bower, Verkin, Harbal, Donley, Skilliter, and Miller (6) Nays None VARIANCE DENIED.

The Administrators report was given in a written information report.

Clerk/Treasurers report included the monthly financial report and the insurance bid received from Sprouse Insurance Agency for the renewal of Comprehensive Commercial Insurance policy effective November 10, 1987 for one year per the bid specifications. Changes in the deductions were suggested by Mr. Sprouse. The Insurance Committee will meet and have a recommendation on November 2, 1987 meeting.

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The solicitor stated he needed direction from council on the Traub case and that an injunction should be filed ordering them to take down the pool.

Bower moved and Donley seconded to adopt a Resolution 74-87 to instruct the solicitor to file an injunction ordering the removal of the pool. Mr. Cottrell to notify the Traubs in a letter to take down the pools with in 30 days.

Roll call vote: Bower, Verkin, Harbal, Donley, Skilliter and Miller all yeas. (6) Nays None.

MAYORS REPORT: Genoa Branch Library will hold a ground breaking ceremony at 10:00 am on October 31, 1987.

COMMITTEE REPORTS:

Streets: Mr. Miller reported the street committee had met and made a decision on the dump truck bid. The committee also is requesting direction on the moto paving of the alley between Main and West and 4th and 5th. Cost estimate of \$2500. There also concerns and complaints about South Main at the light.

Verkin read Ordinance 59-87 for the Third reading;
ORDINANCE 59-87 AN ORDINANCE TO AMEND ORDINANCES 10-63, 39-81 and 41-83 DEALING THE ZONING WITHIN THE VILLAGE OF GENOA.
Verkin moved and Miller seconded to pass Ordinance 59-87
Roll call vote yeas; Bower, Verkin, Harbal, Donley, Skilliter and Miller (6) Nays. None.

Skilliter read Ordinance 67-87 AN ORDINANCE HIRING THE LAW FIRM OF DOYLE, LEWIS, AND WARNER TO DEFEND THE LAWSUIT CAPTIONED PATRICIA G. HARBAL VS MICHAEL J. DESPONES AND THE VILLAGE OF GENOA, OHIO AT AN HOURLY RATE OF \$75.00 per hour and DECLARING AN EMERGENCY.

Mayor Despones stated that Harbal should agree not to vote due to conflict of interest in the case. Thereby changing the acceding vote to rule of 4 of 5 votes for passage.

Skilliter 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. Verkin seconded the motion;
Roll-call vote; Yeas. Bower, Skilliter, Verkin and Miller.
(4) Nays; Donley (1) Harbal not voting.

Motion carried according to legal council.

Skilliter then read Ordinance 67-87 three times by title.
Skilliter moved that Ordinance 67-87 be passed as an emergency measure in accordance with ORC 731-30. Miller seconded the motion.
Roll call vote Yeas Bower, Verkin, Skilliter and Miller (4).
Nays Donley (1) Harbal Not voting. Motion and Ordinance passed.

Miller presented ORDINANCE 68-87 AN ORDINANCE ACCEPTING THE BID BY GENOA MOTORS GENOA, OHIO FOR A 1988 FORD DUMP TRUCK IN THE AMOUNT OF \$ 23,909.04 and declaring an emergency.

Miller 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 Ohio Revised Code.

Bower seconded the motion Roll call vote; Yeas; Bower, Harbal Verkin, Skilliter Donley and Miller. (6) Nays. None. motion passed.
Miller then moved that ordinance 68-87 be passed as an emergency measure in accordance with O.R.C. 731.30. Seconded by Bower.
Roll call vote; Bower, Harbal Verkin, Skilliter Donley and Miller. (6) Nays. None. Motion passed.

Verkin presented ORDINANCE 69-87 AN ORDINANCE APPROVING A CHANGE ORDER FOR AN ADDITIONAL \$5,150 FOR THE ROUTE 163 FORCE MAIN SEWER PROJECT, AND DECLARING AN EMERGENCY.

Verkin moved and Bower seconded 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.
Roll call vote yeas: Bower, Verkin, Harbal, Donley Skilliter and Miller (6) Nays None motion passed

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Verkin moved and Bower seconded that Ordinance 69-87 be passed as an emergency measure in accordance with Ohio Revised Code section 731.30.

Roll call vote yeas: Bower, Harbal, Verkin, Skilliter, Donley and Miller (6) Nays None.

Miller presented ORDINANCE 70-87 AN ORDINANCE AUTHORIZING A CHANGE ORDER FOR AN ADDITIONAL \$1,800 FOR ADDITIONAL LABOR AND MATERIALS USED ON THE STREET WORK AWARDED TO D.G. SLURRY SEAL OF TOLEDO, AND DECLARING AN EMERGENCY.

Miller 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.

Verkin seconded the motion, Roll call vote Yeas; Bower, Harbal Verkin, Skilliter, Donley, and Miller (6) Nays. None. Motion passed.

Miller moved that Ordinance 70-87 be passed as an emergency measure in accordance with Ohio Revised Code Sect. 731.30

Roll Call vote Yeas: Bower, Harbal Verkin, Donley, Skilliter and Miller. (6) Nays. None. Motion Passed.

Harbal presented ORDINANCE 71-87 AN ORDINANCE ACCEPTING THE BID ON INSURANCE FOR THE VILLAGE OF GENOA FROM WESTFIELD INSURANCE COMPANY IN THE AMOUNT OF \$27,851 ANNUAL PREMIUM AND DECLARING AN EMERGENCY.

Harbal 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. Donley seconded the motion.

Roll call vote Yeas: Harbal, Bower, Verkin, Donley, Skilliter and Miller (6) Nays None. motion passed.

Harbal moved and Miller seconded that Ordinance 71-87 be passed as an emergency measure in accordance with ORC Sec. 731.10.

Roll call vote Yeas: Harbal, Bower, Verkin, Skilliter, Donley and Miller. (6) Nays. None. Motion passed.

Mayor Despones Appointed Edward J. Griswold as the new Administrator and asked confirmation from council.

Miller moved and Bower seconded to adopt resolution 75-87 confirming the appointment by Mayor Despones of Edward J. Griswold

Roll call vote Yeas; Bower, Harbal Verkin, Donley Skilliter and Miller. (6) Nays None.

Bower presented Ordinance 72-87 AN ORDINANCE TO EMPLOY EDWARD J. GRISWOLD AS VILLAGE ADMINISTRATOR, AND SET THE SALARY AT \$30,000. per year EFFECTIVE AS OF JANUARY 1 1988 to December 31, 1988.

Bower moved Skilliter seconded 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.

Roll call vote Yeas. Bower, Harbal, Verkin, Skilliter, Donley and Miller (6) Nays. None

Bower then read Ordinance 72-87 twice by title and once in full.

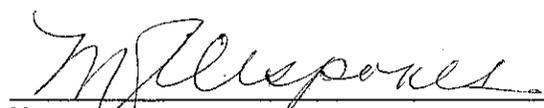
Bower moved and Verkin seconded that Ordinance 72-87 be passed as an emergency measure in accordance with ORC 731.30

Roll call vote. Yeas. Bower, Verkin, Harbal, Donley Skilliter and Miller. (6) Nays. None.

Harbal reported the street committee had met with Richland Eng. concerning the slurry seal application and that they were told the streets would smooth out when summer heat is on it and that we got our moneys worth of what we bought.

There being no further business the meeting was adjourned.


Clerk


Mayor

