

RECORD OF PROCEEDINGS

Minutes of

Genoa Village Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ in Council Chambers on July 17 _____, 2000
(YEAR)

Mayor Verkin called the meeting to order at 7:30 p.m. with the pledge to the flag. Clerk/Treasurer Cremean called the roll: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner and Mr. Goodman. Also present was Mrs. Smith, Village Solicitor. Council member Elizabeth Slotnick was absent.

APPROVAL OF THE MINUTES

AMENDMENTS TO THE MINUTES OF MEETING OF JULY 3rd

None presented.

Mr. Bower moved, second by Mr. Bittner to approve the minutes as written. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodman all yeas (5). Motion passed.

ENGINEER'S REPORT

No report.

ADMINISTRATOR'S REPORT/ZONING REPORT

Mr. Adams advised that he submitted a written Administrator's Report and Zoning Report to Council.

Mr. Adams provided to each Council member a copy of an easement he received from the Township regarding the property we are looking into purchasing. Mr. Adams highlighted important information on the front page of the easement. Mr. Adams advised that he contacted Cindy Smith today and requested her to review the easement and submit a legal opinion regarding the easement. Mr. Adams also provided each member of Council with a copy of the Quit Claim Deed which Clay Township received from Toledo Edison Company. This deed is similar to what Clay Township wants the Village of Genoa to do with the fire hall to them in exchange for certain acreage of that property. Mr. Adams' opinion is that the Village is reluctant on doing anything with the property, especially since you can't build a structure on an easement. At this point the floor was turned over to Ms. Smith, Village Solicitor.

Ms. Smith advised that the easement was faxed to her by George Adams. She did review the easement and advised that on its face the easement basically indicates that the grantee retains a movable easement. They can move this 20 foot wide easement anywhere on this legal description. Ms. Smith further advised that the easement itself doesn't say whether it is temporary or permanent so the assumption should be made that it is permanent because later on in the easement it talks about permanently maintaining, inspecting, replacing, relocating, and repairing whatever they put on their easement.

Mr. Adams added that basically the property just exists. We are unable to make improvements to it or put any kind of structure on it for years to come. Toledo Edison can come in at any given time and say we are going to run an easement here and if you have a building setting there or playground equipment, you have to move it. The easement goes on to say that should we assume this easement from the Township, we have to notify Toledo Edison of any intention. They more or less control it. In Mr. Adams' opinion the property is of no use to the Village.

Mr. Adams further advised that he handed out a list of the contractors that were awarded the bid for the substations. This will provide a list of contact persons for the Council members should the need arise.

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Mr. Avery inquired of Mr. Adams if what he was suggesting is that the Village just back away from the property in the park. Mr. Adams indicated he was only bringing this up now for Council's information so they could have an insight on the easement. Mr. Adams further advised that Council has directed he and the Mayor to sit down and attempt to negotiate this matter with the Township. The Township has submitted a proposal and it is being reviewed. The Village expects to present the Township with a counter-proposal.

A copy of Mr. Adams' Administrator's report is on file in the Clerk/Treasurer's Office.

A copy of Mr. Adams' Zoning report is on file in the Clerk/Treasurer's Office.

CLERK/TREASURER'S REPORT

Mr. Cremean presented invoices in the amount of \$546,625.76 for payment. Mr. Bower moved, second by Mrs. McLear to pay the invoices. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodeman all yeas (5). Motion passed.

RECREATION ADVISORY BOARD

Mr. Adams advised that he submitted a written Recreation Report to Council.

MAYOR'S REPORT

Mayor Verkin advised that the Village has hired a new police officer by the name of Chad Milner, who started work on July 17. Officer Milner will be serving his six-month probationary period.

Mayor Verkin complimented the community for its coming together to show our last respects to Officer William Hetrick.

Mayor Verkin advised that he will be going on vacation beginning Saturday, July 22 until August 21, and that he would be missing the August 7th Council meeting, at which Jack Bower, Council President, will take over in his absence. Mayor Verkin advised that he planned on staying in contact with the Village Administrator.

Mayor Verkin advised that Bergmans will be paving streets Wednesday, Thursday and Friday of this week.

Mayor Verkin recommended the appointment of Mike Graalman as Chief of the Genoa Police Department effective July 18, 2000.

Mr. Bower moved, second by Mrs. McLear to appoint Mike Graalman as Chief of the Genoa Police Department effective July 18, 2000. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodeman all yeas (5). Motion passed.

Mayor Verkin read a resolution honoring Officer William Hetrick of the Clay Township Police Department.

ANYONE WISHING TO ADDRESS COUNCIL

Dave Stone, 804 Main Street, Genoa, Ohio. For informational purposes, Mr. Stone advised that everyone seems to like the way things are going downtown. However, he requested if when they stop the grinding when repaving the streets, the contractor could make a little more of a ramp for easier passage. Mr. Stone further stated that at the last Council meeting he attended it was decided to bring a new ordinance changing zoning for the trailer park. He advised that from being involved in financing on houses, what they are talking about "putting up" would not qualified for a mortgage. He feels this will

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affect the residents' property value enormously. Mr. Stone requested that Council take a closer look at this matter. Mr. Stone stated that he has two water meters on his house. He then questioned that in the event his upstairs tenants moved out and he decided to make that area into an office, if instead of having two water meters for tax purposes, he wondered whether he could run from one meter. Mr. Adams advised Mr. Stone to contact Kevin Gladden regarding this matter.

COMMITTEE REPORTS

STREETS AND SIDEWALKS

No report.

UTILITIES

No report.

FINANCE

No report.

SAFETY

Mrs. McLear advised that the committee has been interviewing for police positions to fill our capacity but, as yet, that has been unsuccessful.

ADHOC

No report.

INSURANCE

No report.

ORDINANCES/RESOLUTIONS/MOTIONS

Mr. Bittner presented the third reading of Resolution 57-00, a Resolution in compliance with Section 709.031(B) of the Ohio Revised Code, and declaring an emergency. Mr. Bittner moved, second by Mrs. McLear that the rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with in accordance with ORC 731.17. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodeman all yeas (5). Motion passed. Mr. Bittner moved, second by Mrs. McLear that Resolution 57-00 be passed in accordance with ORC 731.30. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodeman all yeas (5). Motion passed.

Mr. Bittner presented the second reading of Ordinance 58-00, an Ordinance amending Section 149.02(a&b) of the Codified Ordinance of the Village of Genoa regarding vacation allowances.

Mr. Bower presented the second reading of Ordinance 59-00, an Ordinance increasing the salaries for the Genoa police officers and police chief, and repealing Ordinance Number 120-99.

Mr. Bittner presented the first reading of Ordinance 60-00, an Ordinance rezoning from R-1 to R-4 part of Parcel No. 101-08472-18355-000, east 10 acres of the south west quarter of the south east quarter of section 34, 330' frontage, depth 1320' area, 10 acres more or less.

Mr. Bower presented Ordinance 61-00, an Ordinance providing authorization of Genoa to pick-up the statutorily required contribution to the Public Employees Retirement System of Ohio for the employees of the Village pursuant to O.R.C. Section 414(H)(2),

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and declaring an emergency. Mr. Bower moved, second by Mrs. McLear that the rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with in accordance with ORC 731.17. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodman all yeas (5). Motion passed. Mr. Bower requested that in Section 2, second paragraph, the words "or elected officials" be deleted. Mrs. Smith pointed out that that particular change also should occur under the "WHEREAS" clause, on the sixth line by deleting "such elected officials and". Mr. Cremean pointed out that the effective date was changed from July 17th to July 23rd to put it at the beginning of a pay period. Mr. Bower moved, second by Mrs. McLear that Ordinance 61-00 be passed in accordance with ORC 731.30. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodman all yeas (5). Motion passed.

Mr. Bower presented Ordinance 62-00, *an Ordinance providing authorization of Genoa to pick-up the statutorily required contribution to the Police and Firemen's Disability and Pension Fund of Ohio for the employees of the Village pursuant to O.R.C. Section 414(H)(2), and declaring an emergency.* Mr. Bower moved, second by Mrs. McLear that the rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with in accordance with ORC 731.17. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodman all yeas (5). Motion passed. Mr. Bower moved, second by Mrs. McLear that Ordinance 62-00 be passed in accordance with ORC 731.30. Mr. Cremean pointed out that the same date change occurs on this Ordinance as well, moving from July 17th to July 23rd. Mr. Cremean also pointed out that in Section 3 the statutorily required percentage contribution in line 4 is changed from 8.5% to 10%. Mr. Bower pointed out that the words "elected officials" need to be deleted in both the WHEREAS section and in Section 2. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodman all yeas (5). Motion passed.

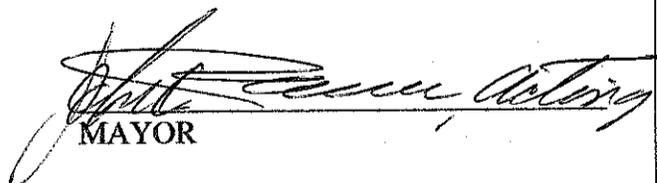
Mr. Bittner presented Ordinance 63-00, *an Ordinance authorizing the Village Solicitor to prepare and file a petition for annexation pursuant to Revised Code Section 709.16, and declaring an emergency.* Mr. Bittner moved, second by Mrs. McLear that the rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with in accordance with ORC 731.17. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodman all yeas (5). Motion passed. Mr. Bittner moved, second by Mrs. McLear that Ordinance 63-00 be passed in accordance with ORC 731.30. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodman all yeas (5). Motion passed.

OTHER BUSINESS

None.

Mr. Bower moved, second by Mr. Bittner to adjourn. Roll call vote: Mr. Bower, Mrs. McLear, Mr. Avery, Mr. Bittner, and Mr. Goodman all yeas (5). Motion passed and Council meeting was adjourned at 8:00 p.m.


CLERK/TREASURER


MAYOR