

# RECORD OF PROCEEDINGS

Minutes of

Genoa Village Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10748

Held \_\_\_\_\_ in Council Chambers on September 18 \_\_\_\_\_, 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, Mr. Avery, Mr. Bittner, Mr. Goodeman, and Mrs. Slotnick. Also present was Mr. Adams, Village Administrator, and Mrs. Smith, Village Solicitor. Council member Eileen McLear was absent.

## APPROVAL OF THE MINUTES

### AMENDMENTS TO THE MINUTES OF MEETING OF SEPTEMBER 5<sup>TH</sup>

None.

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

### AMENDMENTS TO THE MINUTES OF PUBLIC HEARING OF SEPTEMBER 6<sup>TH</sup>

None.

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

## ENGINEER'S REPORT

No report.

## ADMINISTRATOR'S REPORT/ZONING REPORT

Mr. Adams advised that the current tenant at the dairy queen, Mr. Ruiz, approached him regarding the purchase of all equipment for \$4,000. Mr. Adams advised that the Village can proceed to purchase the equipment if it is still Council's wishes to continue the operation of the dairy queen. Mr. Ruiz also requested that he be allowed to break his lease by the 30<sup>th</sup> of September of 2000. Mr. Adams stated that because of Mr. Ruiz's past performance, inconsistent hours, and irregular days of operation, he would recommend that he be allowed to break the lease and the Village take it over.

Mr. Bittner moved, second by Mrs. Slotnick to allow Mr. Ruiz to withdraw from his lease effective September 30, 2000, and that the Village proceed to purchase the equipment for operation of the dairy queen. Mrs. Slotnick also stated that even though there isn't a tenant in the building, there seems to be cars parked in the lot. Mr. Adams advised that those were Mr. Ruiz's vehicles, and that after his departure, the cars would be gone. Mr. Avery inquired as to how soon the Village should advertise to find someone interested in leasing the business. Mr. Adams advised that as soon as Mr. Ruiz's lease was terminated, the Village could begin advertising. Roll call vote: Mr. Bower, Mr. Avery, Mr. Bittner, Mr. Goodeman and Mrs. Slotnick all yeas (5). Motion passed.

Mr. Adams also referred to his handout from AMP-Ohio which contain the new natural gas fixed price offerings. Mr. Adams advised that all enrollments forms are in the Utility Office.

Mr. Adams also provided Council with a copy of a letter he received from David Stone.

Mr. Adams advised that he received a request from Dorothy Bowland. This was going back when the alley between 8<sup>th</sup> and 6<sup>th</sup> Streets and Main and Washington Streets was

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part of the downtown grant. We considered redesigning that alley to make it wider and to install an island. At that time, then-Mayor Skilliter negotiated with Dorothy Bowland that the Village would have the garage removed. That did not occur. At this time we have some people who have volunteered to take that garage down, but they have requested the use of one of the Village's dump trucks to throw the lumber in. Mr. Adams advised that as long as a Village employee drove the truck to the dump, he wouldn't have a problem with loaning the truck. Mr. Adams advised that because Mr. Skilliter did commit to the removal of the garage, the Village has to honor that commitment in the best way possible.

Mr. Adams advised that he also provided Council with a copy of the progress report from the electrical system upgrade and added that AMP-Ohio has been very good at providing a bi-weekly progress report on this upgrade.

Mrs. Slotnick inquired regarding the deck being put up by Mr. Szegetti and noted that that permit had been issued more than a year ago. Mr. Adams indicated that it had been reissued since Mr. Floro had already committed to it when he issued the permit. Mr. Adams and Mr. Szegetti discussed the possibility of painting yellow edge lines or coming up with some kind of a buffer to identify the corner. Mr. Adams requested a legal ruling on if a guardrail were put up for the protection of the motorists and if somebody hits that guardrail and injures themselves, whether the town could be liable for that injury. Mr. Adams further advised that the Village will advise Mr. Szegetti that he has to install some type of identifier on the corner.

#### CLERK/TREASURER'S REPORT

Mr. Cremean presented invoices in the amount of \$52,692.19 for payment. Mr. Bower moved, second by Mr. Bittner to pay the invoices. Roll call vote: Mr. Bower, Mr. Avery, Mr. Bittner, Mr. Goodeman and Mrs. Slotnick all yeas (5). Motion passed.

#### RECREATION ADVISORY BOARD

No report.

#### MAYOR'S REPORT

Mayor Verkin advised that the Village now has a signed water agreement with the City of Oregon.

Mayor Verkin advised that he and the Administrator will attend a meeting at Davis Besse Nuclear Power Station on September 27<sup>th</sup> from 7:00 to 9:00 p.m. where they will explain the revised reactor oversight process implemented by the National Regulatory Commission.

Mayor Verkin read a "thank you" letter received from Doug Avery addressed to the Mayor and Council members.

Mayor Verkin advised that he believed there was an erroneous report in the last minutes that the Planning Commission would be meeting on September 13. The meeting is scheduled for September 21, 2000, at 7:30 p.m. Mrs. Slotnick whether there was anything on the agenda for that meeting and Mayor Verkin advised there were issues on the agenda. Mrs. Slotnick specifically inquired about the E.S. Wagner issue and Mayor Verkin advised that that issue was not on the agenda.

#### ANYONE WISHING TO ADDRESS COUNCIL

None.

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## COMMITTEE REPORTS

### STREETS AND SIDEWALKS

Mr. Bittner advised that a written report of the Tree Commission had been submitted to Council. Mr. Bittner further advised that Bill Richards had commented that the contractors were hitting the trees with back hoes on Main Street. Mr. Bittner advised Mr. Richards that the matter would be investigated. Mr. Adams requested that should this occur in the future, if a call would be placed to him when it occurs then he deal with the matter immediately.

Mayor Verkin advised Mr. Bittner, as Council's representative to the Tree Commission, that there was a problem with a tree in front of the Town Hall. Specifically, there was a large amount of dead branches that needed to be trimmed off the tree. A discussion ensued regarding other trees that needed attention.

Mr. Avery stated that the Village didn't receive any grant money for trees this year but that the Tree Commission minutes notes "spots for 35 trees." Mr. Avery inquired whether the Tree Commission had money in their budget for these additional trees. Mr. Adams advised that they had the money in their budget to cover the trees.

Mr. Avery inquired whether the Village was still working on the right-of-way plantings, shrubs in alleys, and similar matters. Mayor Verkin advised that those issues were going to be covered by Planning Commission.

Mr. Avery stated that new curbs have been installed on Main Street and now we have 18 inch weeds growing everywhere. He inquired whether that had been attended to or not. Mr. Adams advised that that matter had been addressed to Bergmans and that the Village was holding back retainage money from them until the problem is dealt with.

Mr. Adams advised that should a person by the name of Steve Shriner contact any Council member, he was formerly employed by Bergmans. Mr. Adams is processing Mr. Shriner's complaints through the Department of Development, who has now turned the matter over to HUD. HUD is investigating payment from Bergman to Steve Shriner. The DOD has requested the Village to hold back approximately \$3,200 to cover this complaint, which the Village will do.

### UTILITIES

No report.

### FINANCE

Mr. Bower advised that a Finance Committee meeting will be held in the near future, and that he will advise Council when it is scheduled.

### SAFETY

No report.

Mrs. Slotnick stated that at the last meeting Mayor Verkin had mentioned that he was still looking over the applications for police secretary. She inquired whether any progress was being made in this regard and whether Mayor Verkin had a timeline for the interviews. Mayor Verkin advised that he would probably begin interviews at the end of the week.

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Mayor Verkin advised that the new police officer is now working on his own as of September 17<sup>th</sup>, and that other than some problems with his computer, he is doing very well.

## ADHOC

Mrs. Slotnick advised that there was a Design Review Board meeting at which several matters came up. Two applications have been approved for paving parking lots in the back along the alley between 6<sup>th</sup> and 8<sup>th</sup> Streets. The Civic Theater requested approval to put up two pennant flags when plays are in progress. The Design Review Board had no problem with that request. Mrs. Slotnick advised that the next meeting of the Design Review Board is the first Tuesday in October.

Mr. Bittner inquired as to the status of the Hardware Café. Mr. Adams advised that Mr. Gwyn reviewed the Hardware Café's request versus the Village's draft lease and Mr. Gwyn suggested we stick to the Village's version of the lease. Mr. Adams mailed the lease to the Hardware Café and gave them 30 days to respond and they have not done so. Mr. Adams inquired of Council whether they wanted to withdraw the lease proposal or proceed to negotiate, at which time a discussion ensued. Mr. Adams proposed that he call the Hardware Café and request a response within 10 days and if that doesn't happen, to withdraw the Village's proposal.

Mr. Bittner inquired as to the status of the memorial wall. Mr. Adams advised that the new location for the memorial wall would be on the southeast corner of the park, near the parking lot. Mr. Adams then advised regarding the series of events that occurred relating to the original location of the wall and the reason for selecting a new location, and a discussion ensued. Mr. Adams advised that he and the Mayor would look into the appeal process regarding the Design Review Board's decision on the location of the memorial wall and if they felt an appeal would be in the best interests of the Village, they would pursue that course of action.

## INSURANCE

No report.

## ORDINANCES/RESOLUTIONS/MOTIONS

Mr. Avery presented Ordinance 73-00, *an Ordinance authorizing execution of First Amendment to Loan Agreement, execution and delivery of supplemental promissory note, and declaring an emergency*. Mr. Avery moved, second by Mr. Bower 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, Mr. Avery, Mr. Bittner, Mr. Goodeman, and Mrs. Slotnick all yeas (5). Motion passed. Mr. Avery moved, second by Mr. Bower that Ordinance 73-00 be passed as an emergency measure in accordance with ORC 731.30. Mr. Bower stated that he thought the request was going to be for \$400,000. Mr. Adams advised that he talked with AMP-Ohio before he went on vacation and they ran some numbers and the numbers suggested that we go for the extra \$100,000. Roll call vote: Mr. Bower, Mr. Avery, Mr. Bittner, Mr. Goodeman, and Mrs. Slotnick all yeas (5). Motion passed.

## OTHER BUSINESS

Mr. Bower stated that the old car wash on Main Street is an absolute eye sore. The building is in a state of disrepair and Mr. Bower feels that the Village should notify the landowner to either tear the building down or fix it up.

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Mrs. Slotnick inquired whether Paul Blausey had been contacted to be in attendance at the Council of the Whole meeting. Mayor Verkin advised that he had not been as of yet. Mrs. Slotnick inquired whether Dawn Angel would also be present.

Mrs. Slotnick also noted that the new phone log shows an unlisted number, and stated that in the past several weeks she has heard quite a few comments from residents who were unhappy about unlisted phone numbers for people serving in the Village. Mrs. Slotnick stated that it is her belief that if someone is serving on a committee for the Village, they should be able to be contacted. A discussion regarding this matter ensued.

Mr. Bower moved, second by Mr. Bittner to adjourn. Roll call vote: Mr. Bower, Mr. Avery, Mr. Bittner, Mr. Goodeman, and Mrs. Slotnick all yeas (5). Motion passed and Council meeting was adjourned at 8:30 p.m.

  
CLERK/TREASURER

  
MAYOR

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