

RECORD OF PROCEEDINGS

Minutes of

Genoa Village Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

in Council Chambers on June 4,

2001

(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 for attendance: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodeman, and Mrs. Slotnick. Also present were Mr. George Adams, Village Administrator, and Mrs. Smith, Village Solicitor.

APPROVAL OF THE MINUTES

AMENDMENTS TO THE MINUTES OF MEETING OF MAY 21st

- Mrs. Smith requested that in the future when being quoted, it specifically be noted whether it is Councilman Adams or Administrator Adams.

Mr. Avery moved, second by Mr. Bittner to approve the minutes as written. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodeman and Mrs. Slotnick all yeas (6). Motion passed.

ENGINEER'S REPORT

- No report

ADMINISTRATOR'S REPORT/ZONING REPORT

- Written Administrator's report submitted
- Noted correction in agenda to bring in additional legislation, specifically Ordinance 59-01
- Advised regarding residents' requests for unlimited refuse pickup.

Mrs. McLear moved, second by Mrs. Slotnick to schedule unlimited refuse pickup for Monday, June 25, 2001. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodeman and Mrs. Slotnick all yeas (6). Motion passed.

- Presented to Council for their consideration a proposed draft letter to pertinent residents regarding the "no parking" ordinance on the south side of 9th Street. Mrs. Slotnick requested that the date of passage of the legislation (June 18, 2001) be included in the letter.
- Advised regarding receipt of a legislative bulletin referring to HB 245 which would allow villages to move from an elected clerk-treasurer to an appointed fiscal officer.
- Referencing Ordinance 58-01: A copy of the personnel policy which was attached should not be part of the Ordinance. It should have been attached to the Administrator's report. Administrator Adams pointed out the conflict between Ordinance 59-00, which is now in effect, and the Village's personnel policy 303 regarding holiday pay. Discussion held regarding this matter and the payment method for officers working security for the Homecoming ensued.

Mr. Bittner moved, second by Mrs. Slotnick to send the issue of payment to officers working security for the Homecoming back to the Safety Committee for consideration. Roll call vote: Mr. Adams, No; Mrs. McLear, No; Mr. Avery, No; Mr. Bittner, Yes; Mr. Goodeman, No; and Mrs. Slotnick, Yes. Nays (4); Yeas (2). Motion failed.

- Advised regarding receipt of a petition from Hunter & Shank Law Offices regarding the Genoa Mini Mart's 25-foot frontage parcel they acquired to be annexed into the Village.
- Administrator Adams requested a Finance Committee meeting

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- Administrator Adams requested a Utility Committee meeting to discuss public right-of-ways.

CLERK/TREASURER'S REPORT

- Mr. Cremean presented invoices in the amount of \$222,584.22 for payment. Mr. Avery moved, second by Mrs. McLear to pay the invoices. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodeman and Mrs. Slotnick all yeas (6). Motion passed.
- Advised Council that no objections have been received to the request to transfer liquor license for Genoa Country Café, so it will be sent it with a "no hearing" request.
- Mr. Cremean advised Council that he would be on vacation from June 8 to June 23, 2001, so he will not be at the Council meeting on June 18, 2001.

RECREATION ADVISORY BOARD

- Written report submitted

MAYOR'S REPORT

- Advised regarding receipt of letter from Time Warner Cable pertaining to their new set up in the Village.
- Advised of belief that a fifth officer is necessary on the police department. Requested Council's position. Councilman Adams inquired whether a part-officer would be sufficient and was advised that it would not. Mrs. McLear agreed with fifth officer. Mr. Avery agreed with fifth officer. Mr. Bittner agreed with fifth officer. Mr. Goodeman said "no comment". Mrs. Slotnick agreed with fifth officer, but stated concern over whether the officer would be salary or hourly.

ANYONE WISHING TO ADDRESS COUNCIL

- **David Stone, 804 Main Street, Genoa, Ohio.** Presented concern over abbreviated minutes and relying upon tapes for reference points in the future. Also provided copy of letter he has sent to hourly employees and elected officials of the Village regarding 1994 payroll issues. Administrator Adams requested e-mail address of Mr. Stone, which is drstone82@aol.com. Mrs. Smith inquired of Mr. Stone whether Mr. Ellis is his attorney in this matter, and was advised that he is.
- **Susan Trejo, 302 2nd Street, Genoa, Ohio.** Presented concerns on alley running between 302 2nd Street and 312 2nd Street, specifically semi parking in the alley and the damage caused by it and safety issues it presents. Mayor Verkin advised that this matter was being addressed.

COMMITTEE REPORTS

STREETS AND SIDEWALKS

- No report

UTILITIES

- No report
- Meeting scheduled for June 12, 2001, at 10:00 a.m.

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- Mr. Avery inquired of Administrator Adams as to progress of the electrical system upgrade. Administrator Adams advised that upgrade is scheduled to be concluded in mid-July.

FINANCE

- No report
- Meeting scheduled for June 11, 2001, at 7:00 p.m.

SAFETY

- No report

ADHOC

- Meeting of Design Review Board scheduled for June 5, 2001 is cancelled.
- Mrs. Slotnick inquired of Administrator Adams regarding new parking lot and removing "hump" on West Street. Administrator Adams advised that any change on West Street is probably three years out.

INSURANCE

- No report

ORDINANCES/RESOLUTIONS/MOTIONS

Mr. Avery presented the third reading of Ordinance 43-01, *an Ordinance establishing a 50% surcharge for residents of Clay Township whose personal property is contiguous to the Village of Genoa's corporation lines, and wish to have the Village's water service, sanitary sewer service, or storm water collection service.* Mr. Avery moved, second by Mrs. Slotnick that Ordinance 43-01 be passed. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodeman, and Mrs. Slotnick all yeas (6). Motion passed.

Mrs. McLear presented the second reading of Resolution 52-01, *a Resolution establishing "no parking" on the south side of Ninth Street between Wilson Street and Washington Street.*

Mr. Avery presented Ordinance 53-01, *an Ordinance amending Ordinance Number 33-01, and revising assessment costs and expenses by reducing the total property assessments, from Sixteen Thousand One Hundred Seventy-Eight Dollars and Seventy Cents (\$16,178.70), to Fourteen Thousand Nine Hundred Seventy-Two Dollars and Seventy Cents (\$14,972.70), and declaring an emergency.* Mr. Avery 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. Adams, Yes; Mrs. McLear, Yes; Mr. Avery, Yes; Mr. Bittner, Abstain; Mr. Goodeman, Yes; and Mrs. Slotnick, Yes. Yeas (5) Abstain (1). Motion passed. Mr. Avery moved, second by Mrs. Slotnick that Ordinance 53-01 be passed as an emergency measure in accordance with ORC 731.30. Roll call vote: Mr. Adams, Yes; Mrs. McLear, Yes; Mr. Avery, Yes; Mr. Bittner, Abstain; Mr. Goodeman, Yes; and Mrs. Slotnick, Yes. Yeas (5) Abstain (1). Motion passed.

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Mrs. McLear presented Ordinance 54-01, an *Ordinance amending Ordinance Number 61-00, Section 2, and declaring an emergency*. Mrs. McLear moved, second by Mrs. Slotnick 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. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodman, and Mrs. Slotnick all yeas (6). Motion passed. Mrs. McLear moved, second by Mr. Avery that Ordinance 54-01 be passed as an emergency measure in accordance with ORC 731.30. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodman, and Mrs. Slotnick all yeas (6). Motion passed.

Mrs. McLear presented Ordinance 55-01, an *Ordinance amending Ordinance Number 62-00, Section 2, and declaring an emergency*. Mrs. McLear moved, second by Mrs. Slotnick 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. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodman, and Mrs. Slotnick all yeas (6). Motion passed. Mrs. McLear moved, second by Mr. Avery that Ordinance 55-01 be passed as an emergency measure in accordance with ORC 731.30. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodman, and Mrs. Slotnick all yeas (6). Motion passed.

Mrs. Slotnick presented Ordinance 56-01, an *Ordinance authorizing the Mayor to purchase property located at 602-604 Main Street, Genoa, Ohio, from Martin Drain, Box 9337, Toledo, Ohio in the amount of Twenty Thousand Dollars (\$20,000.00), and declaring an emergency*. Mrs. Slotnick 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. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodman, and Mrs. Slotnick all yeas (6). Motion passed. Mrs. Slotnick moved, second by Mr. Avery that Ordinance 56-01 be passed as an emergency measure in accordance with ORC 731.30. Mrs. McLear inquired whether \$20,000 was the asking price or the offered price and was advised that this was the price offered originally for the property. Mrs. McLear also inquired as to the intentions for the property, and was advised that the Chamber is interested in renting the space after the building front is renovated. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodman, and Mrs. Slotnick all yeas (6). Motion passed.

Mr. Bittner presented Ordinance 57-01, an *Ordinance accepting a right-of-way dedication plat from Richard F. and Frances L. Lemke, being part of a 0.33 acre parcel recorded in Deed Volume 279, Page 938 of the Ottawa County Deed Records, and the southwest quarter of Section 34, town 7 north, range 13 east, Clay Township, County of Ottawa, State of Ohio, and declaring an emergency*. Mr. Bittner moved, second by Mrs. Slotnick 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. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodman, and Mrs. Slotnick all yeas (6). Motion passed. Administrator Adams called Council's attention to a copy of the plat, and pointed out that once right-of-way is accepted, annexation will have to be handled and that another right-of-way dedication on 10th Street will have to be sought. Administrator Adams requested Council's position on whether the Village should absorb the costs of this right-of-way dedication process or impose the costs upon the property owner. Mrs. Slotnick inquired as to the cost of this process and was advised that it will be, in total, approximately \$3,500. Discussion ensued. Mr. Bittner moved, second by Mrs. Slotnick that Ordinance 57-01 be passed as an emergency measure in accordance with ORC 731.30. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodman, and Mrs. Slotnick all yeas (6).

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Mrs. McLear presented Ordinance 58-01, an Ordinance amending Ordinance Number 59-00, Section 2, Police Officers, and Police Chief Salaries, and declaring an emergency. Mrs. McLear moved, second by Mr. Adams 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. Adams, Yes; Mrs. McLear, Yes; Mr. Avery, Yes; Mr. Bittner, Yes; Mr. Goodeman, Yes; and Mrs. Slotnick, No. Yeas (5) Nays (1). Motion passed. Mrs. McLear moved, second by Mr. Avery that Ordinance 58-01 be passed as an emergency measure in accordance with ORC 731.30. Roll call vote: Mr. Adams, Yes; Mrs. McLear, Yes; Mr. Avery, Yes; Mr. Bittner, Yes; Mr. Goodeman, Yes; and Mrs. Slotnick, No. Yeas (5) Nays (1). Motion passed.

Mrs. McLear presented Ordinance 59-01, an Ordinance authorizing the Clerk/Treasurer to transfer Thirty-Nine Thousand, Seven Hundred Twenty Dollars and Eighty-Four Cents (\$39,720.84), from the Waterworks Fund (601), into the OWDA Wash./5th St. Waterline Fund (304), and declaring an emergency. Mrs. McLear moved, second by Mr. Avery 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. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodeman, and Mrs. Slotnick all yeas (6). Motion passed. Mrs. McLear moved, second by Mr. Adams that Ordinance 59-01 be passed as an emergency measure in accordance with ORC 731.30. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodeman, and Mrs. Slotnick all yeas (6). Motion passed.

OTHER BUSINESS

- Administrator Adams inquired of the Clerk/Treasurer what the process would be to move funds out of the Village Income Tax Fund. After a lengthy discussion, it was decided that the Village Solicitor will look at the language on the ballot which established the Fund and advise Council how best to proceed to transfer funds out of the Income Tax Fund.
- Mrs. McLear advised that she has been approached by the Fire Chief stating that the Township is considering putting up a 60' x 40' building where the old Toledo Edison garage is located. The building would be used to store extra equipment and have a full kitchen to aid with the Homecoming. The Fire Chief also advised that they are looking at tearing down the shed behind the Fire Hall. Administrator Adams requested Mrs. McLear to advise the Fire Chief to make sure proper permits and/or zoning change requests are requested. A discussion ensued.
- Mrs. McLear advised that there are wild cats living under the old schoolhouse building. She requested attention to this matter.

Mr. Bittner moved, second by Mrs. Slotnick that the Village absorb the cost of the right-of-way dedication process. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodeman, and Mrs. Slotnick all yeas (6). Motion passed.

- Mrs. Slotnick stated that in regard to the minutes for the public hearing for the rezoning of Paul and Sandra Blausey's land, she was not present but her husband was. Mrs. Slotnick requested Council hold a public hearing regarding this matter. Public hearing will be held on July 16, 2001, at 7:00 p.m.
- Mrs. Slotnick inquired as to when the first publication was made regarding the Genoa Bank rezoning request scheduled for public hearing on June 18, 2001. Mr. Cremean advised that he would check into this matter.

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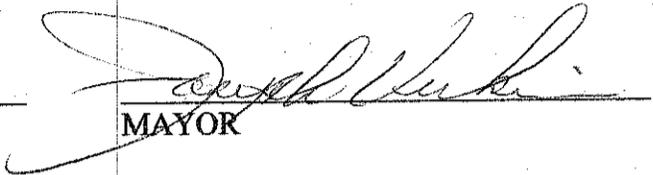
2001

(YEAR)

For a more detailed description of any of the items contained herein, please refer to the audiotape of this meeting on file in the Clerk/Treasurer's Office.

Mrs. McLear moved, second by Mr. Bittner to adjourn. Roll call vote: Mr. Adams, Mrs. McLear, Mr. Avery, Mr. Bittner, Mr. Goodeman, and Mrs. Slotnick all yeas (6). Motion passed and Council meeting was adjourned at 9:00 p.m.


CLERK/TREASURER


MAYOR