

RECORD OF PROCEEDINGS

Minutes of

Genoa Village Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ in Council Chambers on May 6, _____ 20 2002

Mayor Verkin called the meeting to order at 7:32 p.m. with the pledge to the flag.

Clerk/Treasurer Cremean called the roll for attendance: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick. Also present was Mr. Adams, Village Administrator, and Mrs. Smith, Village Solicitor.

APPROVAL OF THE MINUTES

AMENDMENTS TO THE MINUTES OF MEETING OF APRIL 15th

- None

Mr. Avery moved, second by Mr. Bittner to approve the minutes as written. Roll call vote: Mr. Avery, Yes; Mr. Bittner, Yes; Mr. Goodeman, Yes; Mr. Ferguson, Yes; Mr. Perry, Yes; Mrs. Slotnick, Abstain. Yeas (5); Abstain (1). Motion passed.

ENGINEER'S REPORT

- No report

ADMINISTRATOR'S REPORT/ZONING REPORT

- Written Administrator's Report submitted
- No Zoning Report
- Presented a copy of a letter received John C. Lewis on behalf of Sara E. Lewis appealing interest and penalties assessed against Sara Lewis. Advised that a copy was also supplied to the Village Solicitor and the Tax Review Board.
- Advised that a bid was received on the Martin Drain Building from the owner of Ray & Jet's. The bid met all terms discussed with Finance Committee. Requested Council to pass a motion authorizing legislation to proceed with the sale.

Mr. Avery moved, second by Mrs. Slotnick to authorize the Village Administrator to bring in legislation to proceed with the sale of the Martin Drain Building. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed.

- Received a request from the American Legion to donate \$25.00 to purchase flags for the cemetery for Memorial Day.

Mr. Bittner moved, second by Mrs. Slotnick to donate \$25.00 to the American Legion for the purchase of flags for the cemetery for Memorial Day. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed.

- Mrs. Slotnick inquired regarding item 7 on the Administrator's Report, specifically if Phase III would extend to 12th Street. The Administrator advised he would check into this.

CLERK/TREASURER'S REPORT

- Mr. Cremean presented invoices in the amount of \$196,709.90 for payment. Mr. Avery moved, second by Mr. Bittner to pay the invoices. Roll call vote: Mr. Avery,

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Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6).
Motion passed.

RECREATION ADVISORY BOARD

- No report
- Mrs. Slotnick inquired whether the "seasonal" stop sign located by the Post Office and Veteran's Park was there legally according to ordinance so the police could cite people for ignoring it. A discussion ensued.

MAYOR'S REPORT

- Advised that a signed agreement for the Drew property was received.
- Presented an easement to J. Herman for the waterline on 4th Street.
- Working on final details on a new sewer agreement with the County and also a new agreement on the water.
- Advised that he has plans for a concept of a new development. This is not addressed in the subdivision regulations so Planning Commission is getting copies from a couple different entities so it can be reviewed by Council.
- Thanked and commended the Police Department and Genoa Motors for the excellent Kids' Day they organized.
- Advised that a decision has to be made regarding skateboarding. Receiving numerous complaints from citizens about kids skateboarding on the sidewalks.
- Read proclamation setting May 24, 2002, as Poppy Day in Genoa.
- Read proclamation setting the week of May 13 through May 19, 2002 as Police Memorial Week and May 15, 2002, as Police Memorial Day.
- Mr. Avery inquired as to the changes in the sewer and water agreements. Mayor Verkin advised that once the details are all worked out, a Utilities Committee meeting would be called to go over everything.
- Mr. Avery inquired as to the easement given J. Herman on 4th Street. Mayor Verkin advised it was for a waterline extension going east.
- Requested an executive session to discuss legal matters.

ANYONE WISHING TO ADDRESS COUNCIL

- **David Stone, 804 Main Street, Genoa, Ohio.** Mr. Stone complained that a records request he had made to have records available on April 1, 2002, but had not picked up until more than two weeks after his stated deadline, was not available to him. Mr. Stone stated that records should be made available during normal business hours, and made other miscellaneous statements regarding insurance issues and the Village Solicitor.

COMMITTEE REPORTS

STREETS AND SIDEWALKS

- No report

UTILITIES

- No report

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FINANCE

- No report

SAFETY

- No report
- Meeting scheduled for May 14, 2002, at 8:00 p.m.

ADHOC

- No report
- Meeting scheduled for May 14, 2002, at 7:30 p.m.

INSURANCE

- No report

ORDINANCES/RESOLUTIONS/MOTIONS

Mr. Bittner presented the third reading of Ordinance 27-02, an Ordinance authorizing the Clerk/Treasurer to transfer Fifty-Seven Thousand Five Hundred Dollars (\$57,500.00) from the General Fund (101) into the Street Fund (201). Mr. Adams inquired of the Clerk whether or not this Ordinance needed to be passed as an emergency, and was advised yes. Mr. Bittner moved, second by Mr. Perry that Ordinance 27-02 be passed as an emergency. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed.

Mr. Bittner presented the third reading of Ordinance 28-02, an Ordinance authorizing the Clerk/Treasurer to transfer Seven Thousand Dollars (\$7,000.00) from the Bond Retirement-Sewer-Street Fund (301) into the Street Fund (201). Mr. Bittner moved, second by Mr. Perry that Ordinance 28-02 be passed. Mrs. Slotnick inquired whether this transfer closed out this fund, and was advised yes. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed.

Mr. Avery presented the third reading of Ordinance 29-02, an Ordinance authorizing the Clerk/Treasurer to transfer Eighty Thousand Dollars (\$80,000.00) from the General Fund (101) into the Electric Fund (603). Mr. Avery moved, second by Mr. Perry that Ordinance 29-02 be passed. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed.

Mr. Bittner presented the third reading of Ordinance 30-02, an Ordinance authorizing the Clerk/Treasurer to transfer One Hundred Dollars and Sixty-Six Cents (\$100.66) from the Waterworks Fund (601) into the FMHA Water Reserve Fund (607). Mr. Bittner moved, second by Mr. Avery that Ordinance 30-02 be passed. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed.

Mr. Bittner presented the third reading of Ordinance 31-02, an Ordinance authorizing the Mayor to compensate police personnel for hours worked in excess of their regular salary schedule of forty-three hours (43) bi-weekly. Mr. Bittner moved, second by Mr. Ferguson that Ordinance 31-02 be passed as an emergency. Roll call vote: Mr. Avery,

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Yes; Mr. Bittner, Yes; Mr. Goodeman, Yes; Mr. Ferguson, Yes; Mr. Perry, Yes; and Mrs. Slotnick, No and requested record to reflect that her vote is not against compensation, but because this Ordinance contradicts Ordinances already on the books regarding this type of situation. Yeas (5); Nays (1). Motion passed.

Mr. Avery presented the second reading of Ordinance 33-02, an Ordinance awarding a contract to Poggemeyer Design Group, 1168 North Main Street, Bowling Green, Ohio 43402, for professional engineering services for a period of three (3) years.

Mr. Bittner presented Ordinance 34-02, an Ordinance authorizing the Clerk/Treasurer to transfer December 2001, January 2002, and February 2002 Electric Generation Bond interest from the General Fund (101) into the Electric Fund (603), 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. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed. Mr. Bittner moved, second by Mrs. Slotnick that Ordinance 34-02 be passed as an emergency measure in accordance with ORC 731.30. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed.

Mr. Avery presented Ordinance 35-02, an Ordinance amending Ordinance Number 16-02, and declaring an emergency. Mr. Avery 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. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed. Mr. Avery moved, second by Mrs. Slotnick that Ordinance 35-02 be passed as an emergency measure in accordance with ORC 731.30. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed.

Mr. Avery moved, second by Mrs. Slotnick to adjourn into executive session to discuss pending litigation and real estate. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6).

Council entered executive session at 8:10 p.m. and exited at 8:47 p.m.

OTHER BUSINESS

- Mr. Adams referred to a letter received from Peter Gwyn regarding PCB Treatment, Inc. Superfund Site and his recommendation that the Village accept an offer to pay \$6,378.33 to settle this matter, which offer is good only until June 6, 2002. Requested Council's approval to bring in legislation at the next meeting regarding this matter. A discussion ensued.

Mr. Perry moved, second by Mr. Ferguson to authorize the Village Administrator to request the Village Solicitor to draw up legislation and bring it in as an emergency to authorize the payment of \$6,378.33 to settle the PCB Treatment, Inc. Superfund Site matter. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6).

- Mr. Avery inquired of Mr. Adams whether a Finance Committee meeting was necessary. Mr. Adams advised that he would probably be requesting one at the next Council meeting.

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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.

Mr. Perry moved, second by Mr. Ferguson to adjourn. Roll call vote: Mr. Avery, Mr. Bittner, Mr. Goodeman, Mr. Ferguson, Mr. Perry and Mrs. Slotnick all yeas (6). Motion passed and Council meeting was adjourned at 8:53 p.m.


CLERK/TREASURER


MAYOR

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