

RECORD OF PROCEEDINGS

Minutes of

GENOA VILLAGE COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held January 22, 2008

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Mayor Williams called the meeting to order at 7:30 with the Pledge of Allegiance.

Roll called: present were: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick.

Mayor Williams asked Mr. Bialorucki to come forward to be sworn in as Councilperson.

Also present were Garth Reynolds, Interim Village Administrator and Mrs. Smith, Village Solicitor.

APPROVAL OF MINUTES

Presented first were the minutes of January 7, 2008 regular Council meeting. Moved by Mr. Fryman, seconded by Mr. D. Adams to accept the minutes of the Council meeting of January 7, 2008 as presented. Roll called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1.

The minutes of Committee of the Whole from the meeting of January 14, 2008 were presented. Moved by Mr. D. Adams, seconded by Mrs. Kreager to accept the minutes of the Committee of the Whole meeting of January 14, 2008 as presented. Roll called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1.

The minutes of the Special Council meeting from the meeting of January 21, 2008 were presented. Moved by Mr. Fryman, seconded by Mr. D. Adams to accept the minutes of the Special Council meeting of January 21, 2008 as presented. Roll called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1.

ENGINEER'S REPORT

No written report. Mr. Reynolds stated that the engineers are now in the process of reevaluating the new restrooms for Veterans Park. Also, they are investigating possible solutions to the sewer odor issues throughout the Village.

ADMINISTRATOR'S REPORT

Written report. Mr. Reynolds was available to answer any questions.

FISCAL OFFICER'S REPORT

Fiscal Officer, Mr. Brinkman, presented paid bills of \$241,085.79. Mr. D. Adams moved to accept paid bills, seconded by Mr. Fryman. Roll called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1. Mr. Brinkman presented two requests that he had received. The request from The Humane Society of Ottawa County for average costs for each subdivision in Ottawa County based on calls and mileage from 2006 and 2007. The Humane Society is asking for \$160.00. In 2006, the village sent the Humane Society \$250.00. Moved by Mrs. Slotnick, seconded by Mr. Bittner to pay our portion of calls to the Humane Society in the amount of \$160.00. Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 6, Nay 0.

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Also, the Village has received a request from Genoa Area Schools Scholarship Fund; this request will be forwarded to the Adhoc Committee.

RECREATION ADVISORY BOARD

No report.

MAYOR'S REPORT

Written report. Mayor presented his State of the Village Address. Detailed what programs, projects and issues the Mayor would like to see achieved in the next year. Also, presented a list of updated boards and commissions. Mayor also has accepted the resignation of Eric Hise from the Planning Commission.

Moved by Mrs. Slotnick, seconded by Mrs. Kreager to approve Mr. Fryman as Council Liaison to Planning Commission. Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 6, Nay 0.

Mr. D. Adams volunteered to be Council Liaison to Zoning Board of Appeals. Moved by Mrs. Kreager, seconded by Mr. Bittner to approve Mr. D. Adams as Council Liaison to the Zoning Board of Appeals. Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 6, Nay 0.

Mrs. Slotnick stated that per Ordinance, the Council Liaison to the Tree Commission is to be recommended by Streets and Sidewalks Committee.

Moved by Mrs. Slotnick, seconded by Mr. Bittner to accept the Mayor's appointments to 2008 Boards and Commissions. Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 6, Nay 0.

ECONOMIC DEVELOPMENT

No report. Meeting scheduled for February 4, 2008 at 7:00 PM in Village Town Hall.

STREETS/SIDEWALKS

No report, will schedule a meeting at the next Council meeting. Presented minutes from the Downtown Review Board. Moved by Mr. Bittner, seconded by Mrs. Slotnick to accept minutes of the Downtown Review Board from March 7, 2007 and January 9, 2008. Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 6, Nay 0.

UTILITIES

No report.

FINANCE COMMITTEE/INSURANCE

No report.

SAFETY COMMITTEE

No report. Presented Fire Chief's Report of January 10, 2008. Also stated that demolition of downtown businesses from the fire of December 24, 2007 were scheduled to begin on January 28, 2008. Mr. Fryman asked why it took so long for these businesses to be granted permission to demolish when in Toledo the buildings are demolished the next day.

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AD HOC COMMITTEE

No report. Scheduled a meeting for February 19, 2008 at 6:30 PM in Village Town Hall

ANYONE WISHING TO ADDRESS COUNCIL

Jennifer Frank of Maumee asked if all the burnt buildings were to be demolished. Mr. Reynolds stated that yes all the burnt building were to be demolished.

Christina Ellis of Oregon stated that the buildings had historical value and that there should not be a rush to demolish.

Ed Ellis spoke on the value of the old buildings and what could be done via grants and help from the Ohio Historical Society to preserve these buildings.

The Laytons of Main Street asked about the dog barking ordinance. Mr. Reynolds read from the codified ordinances; Chapter 505, Section 505.09; on the issue of dog barking.

Mrs. Smith asked if there was a pending case, and the Layton's said yes. Mrs. Smith stated the Council enacts Village laws, the police wrote the citations and the Judge decided the case; and Council Chambers is not where to argue the merits.

Sandy Wexolowski of 23294 Windfall Drive asked if a structural engineer had inspected the buildings for safety. Mrs. Slotnick stated the Design Review Board has acted on the request to demolish the buildings and had relied on the findings of the Ottawa County Department of Building Inspection. She said she did not like to see the old buildings torn down. Mr. D. Adams stated the Village did not have the right to tell business owners what to do with their property and Council needed to insure the publics' safety, and with walls falling down something needed to be done.

Ed Ellis handed out pictures and opinions on what could be done and where grants are available.

ORDINANCES/RESOLUTIONS/MOTIONS

Mr. D. Adams presented Ordinance 1-08, an Ordinance Authorizing the Fiscal Officer to Transfer Fifteen Hundred Dollars from the Street Fund(201), Eight Thousand Dollars(\$8,000.00), from the Water Fund (601) Four Thousand Eight Hundred Dollars (\$4,800.00), from the Sewer Fund (602), and Twenty-Five Thousand Dollars (\$25,000.00) from the Electric Fund (603), to the Equipment Debt Fund (305), for the Purpose to Make a Debt Payment in February 2008 of Thirty-Nine Thousand Three Hundred Dollars, (\$39,300.00), and declaring an emergency. Mr. D. Adams moved and Mrs. Slotnick seconded 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 called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1. Mr. D. Adams moved, Mrs. Slotnick seconded that Ordinance 1-08 be passed as an emergency measure in accordance with ORC 731.30. Roll called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1.

Mr. Bittner presented Ordinance 2-08, an Ordinance Increasing Appropriations in the Equipment Debt Fund (305), and declaring an emergency. Mr. Bittner moved and Mr. Fryman seconded 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 called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1. Mr. Bittner moved, Mr. Fryman seconded

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that Ordinance 2-08 be passed as an emergency measure in accordance with ORC 731.30. Roll called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1.

Mrs. Slotnick presented Ordinance 3-08, an Ordinance Authorizing the Fiscal Officer to Transfer One Hundred Thirty Thousand Dollars (\$130,000.00) from the Electric Fund (603), to the Generation/Substation Debt Fund (301), and declaring an emergency. Mrs. Slotnick moved and Mr. Bittner seconded 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 called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1. Mrs. Slotnick moved, Mr. D. Adams seconded that Ordinance 3-08 be passed as an emergency measure in accordance with ORC 731.30. Roll called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1.

Mr. Fryman presented Ordinance 4-08, an Ordinance Authoring the Execution and Delivery of an Amendment to the Amended and Restated Loan Agreement Between the Village of Genoa, Ohio and American Municipal Power, -Ohio, Inc., Dated as of October 1, 2004, in Connection with the Issuance of \$5,720,000 Village of Genoa Electric System Improvement Bonds, Series 2004, and declaring an emergency. Mr. Fryman moved and Mr. D. Adams seconded 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 called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1. Mr. Fryman moved, Mr. D. Adams seconded that Ordinance 4-08 be passed as an emergency measure in accordance with ORC 731.30. Roll called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1.

Mrs. Kreager presented the first reading of Resolution 5-08, a Resolution in Appreciation for Services to the Village of Genoa, Ohio on the 24th of December, 2007.

Mrs. Slotnick presented Resolution 6-08, a Resolution to the Genoa Area School Board, and declaring an emergency. Mrs. Slotnick moved and Mr. D. Adams seconded that the rule requiring Resolutions to be fully and distinctly read on three different days be dispensed with in accordance with ORC 731.17. Roll called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1. Mrs. Slotnick moved, Mr. D. Adams seconded that Resolution 6-08 be passed as an emergency measure in accordance with ORC 731.30. Roll called: Mr. Fryman, Mr. Bittner, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick. Yea. Mr. Bialorucki. Abstain. Yea 5, Nay 0, Abstain 1.

OTHER BUSINESS

Mayor Williams asked for a motion to enter executive session specifically to consider the investigation of a complaint against a public employee pursuant 121.22, (G) (1). Moved by Mr. Bittner, seconded by Mr. Fryman to the enter executive session. Roll called: Mr.

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Fryman, Mr. Bittner, Mr. Bialorucki, Mr. D. Adams, Mrs. Kreager and Mrs. Slotnick.
Yea 6, Nay 0. Motion passed.

Mayor Williams stated that no other actions would be taken after the executive session.

Entered executive session at 8:51 PM

Came out of executive session at 10:00 PM.

No other business. Moved by Mr. D. Adams, seconded by Mr. Bittner to adjourn the
meeting. Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mr. D. Adams, Mrs.
Kreager and Mrs. Slotnick. Yea 6, Nay 0. Motion passed.

Meeting adjourned at 10:01 PM.

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's Office.

FISCAL OFFICER



MAYOR

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