

RECORD OF PROCEEDINGS

Minutes of

GENOA VILLAGE COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

March 2, 2009

20

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

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

Mayor stated he had received a phone call from Mr. Fryman and Mr. Bialorucki; they both stated they would be unable to attend the Council meeting due to other commitments. Both had asked to be excused from the Council meeting. Moved by Mr. Adams, seconded by Mrs. Slotnick to excuse Mr. Fryman and Mr. Bialorucki from Council meeting. Roll called: Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 4, Nay 0. Motion passed.

Also present were Garth Reynolds, Village Administrator, Mrs. Cynthia Smith, Village Solicitor, Randy Hill, Police Chief and Kevin Gladden, Public Works Director.

APPROVAL OF MINUTES

Minutes of the February 17, 2009 were presented. Moved by Mr. Bittner, seconded by Mr. Adams to accept the minutes of the February 17, 2009 meeting. Roll called: Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 4, Nay 0. Motion passed.

ENGINEER'S REPORT

No report.

Mr. Reynolds introduced John Minear of Waste Management, Inc. to inform Council on the upcoming changes to waste and recyclable pickups. Mr. Minear stated the City of Oregon had doubled their recyclables by going to weekly pickups and use of the 64-gallon containers. He also passed out a sample of the informational pamphlet explaining the options now available to the residents; this pamphlet will be customized to the Village of Genoa. Mrs. Slotnick asked if this container was for recyclable only. Mr. Minear explained yes it was and showed how on the embossed top it had a list of the items that were eligible for recycling. Mrs. Kreager asked in the Village was paying for the containers; Mr. Minear stated that the citizens would contract direct with Waste Management for the 64-gallon recyclable container and the 96-gallon trash container. Mrs. Slotnick asked if paper needed to be kept dry to be able to be recycled. Mr. Minear stated that wet paper would be recycled.

ADMINISTRATOR'S REPORT

Written report. Mr. Reynolds reported that the Northwest Storm Sewer Phase III was closer to 35-40 % complete than the 20 % in his report. In addition, Mr. Reynolds stated that summer staffing has been completed and the Village will be using three to four less people this year.

FISCAL OFFICER'S REPORT

Fiscal Officer, Mr. Brinkman presented paid bills of \$163,041.05. Mr. Bittner moved to accept paid bills, seconded by Mr. Adams. Roll called: Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 4, Nay 0. Motion passed.

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RECREATION ADVISORY BOARD

Mr. Reynolds stated the Ad Hoc minutes of the February 24, 2009 meeting would cover the Recreation Board.

MAYOR'S REPORT

Mayor presented a written report. Mayor asked for any questions.

ECONOMIC DEVELOPMENT COMMITTEE

No report as Mr. Fryman was absent.

STREETS/SIDEWALKS COMMITTEE

Mrs. Slotnick presented Streets and Sidewalk Committee minutes from the February 17, 2009 meeting.

Moved by Mr. Adams, seconded by Mr. Bittner to accept the February 17, 2009 minutes of Streets and Sidewalks Committee as presented. Roll called: Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 4, Nay 0. Motion passed.

UTILITIES COMMITTEE

Minutes of the February 17, 2009 meeting were presented.

Moved by Mr. Adams, seconded by Mr. Bittner to accept the February 17, 2009 minutes of Utilities Committee as presented. Roll called: Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 4, Nay 0. Motion passed.

FINANCE /INSURANCE COMMITTEE

No report.

SAFETY COMMITTEE

No report.

Chief Hill reported on the number of service calls for the week of February 15 -176; and for the week of February 22-258.

AD HOC COMMITTEE

Mrs. Kreager presented the minutes of the February 24, 2009 meeting with Recreation Board.

Moved by Mr. Adams, seconded by Mrs. Slotnick to accept the February 24, 2009 minutes of Ad Hoc Committee as presented. Roll called: Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 4, Nay 0. Motion passed.

PERSONNEL COMMITTEE

Mrs. Slotnick stated the minutes of the February 24, 2009 meeting were completed but did not make it into the Council packets. Committee reviewed Sections 8 and 9 of Policy & Personnel Manual. Mrs. Slotnick called a meeting for March 10, 2009 at 6:00 PM in the Village Administration Offices to meet with Pat Hire of Clemans Nelson Associates.

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Kevin Gladden reported that Columbia Gas was working in town, and was replacing some lines. Most notably, the alley was temporarily blocked off West 9th and Main Street. In discussions with Columbia Gas, it was determined that cement would be poured and the alley opened by Wednesday, March 4, 2009. Mr. Gladden also reported that the parts for the traffic signal at 6th and Main had been ordered.

ANYONE WISHING TO ADDRESS COUNCIL

John James of 985 Stange Road, Graytown wanted to make a statement on behalf of the local Genoa business owners. Mr. James stated that recent police activities have had a negative impact on the Village and not representative of the friendly and welcoming community Genoa has been in the past. If this continues, it could result in loss of jobs and income to the Village. Mr. James stated that business owners would like to part of the solution to the problems, not negatively affected.

Mike Driver of 908 Buckeye stated he was a life long resident and always had been proud of Genoa, but lately getting negative response from his friends. Mr. Driver stated he does not want Genoa to have a reputation like Woodville. Mr. Driver asked about the cost of the operation. Chief Hill stated cost \$56.00. Mr. Diver asked about police overtime and how many officers were involved. Chief Hill stated three officers were used and no overtime was involved.

Mr. Adams read a letter from Dave Grosjean, see attachment:

Mr. Adams stated that he had not been informed prior, nor has he been informed since about the operation. Mr. Adams further stated he was not aware of any of Council being informed and he was very upset that Council had not been kept up to date.

Eric Hise of 507 Superior Street asked the Mayor if he had prior knowledge of this operation. Mayor reported he did not and had not checked his email until after the completion of the operation.

Dave McClung of Genoa Mini Mart asked if the Mayor knew it was going to happen sometime or was the Mayor not aware of the scheduling. Mayor stated he was not aware of the exact timing but the subject had been discussed.

Joe Badger inquired how many letters of congratulations the Village received on this matter. Mayor stated none.

Deanna Dunn said she works with many of the kids and had not heard of an underage problem and questioned where it was coming from. Chief Hill stated had received phone calls alerting him to a problem. Mr. McClung asked if he could have copies of these complaints, Chief Hill stated he could.

ORDINANCES/RESOLUTIONS/MOTIONS

Mrs. Kreager presented the third reading of **Ordinance 06-09**, an Ordinance Rezoning from R-1 to R-3, Parcel Number 012910825987000, R13, T6, S4 Genoa Corporation Lot 20, Trilogy Real Estate Ohio LLC, (Genoa Retirement Village), 300 Cherry Street, Genoa, Ohio 43430. Mrs. Kreager moved, seconded by Mrs. Slotnick to pass **Ordinance**

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06-09. Roll called: Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 4, Nay 0.

Mr. Adams presented the second reading of **Ordinance 07-09**, an Ordinance to Make Permanent Appropriations for Current Expenses and Other Expenditures of the Village of Genoa, State of Ohio, During the Fiscal Year Ending December 31, 2009.

Mayor asked that Ordinance 08-09 be tabled.

Mr. Bittner presented the first reading of **Resolution 09-09**, a Resolution in Honor of Arbor Day on the 24th of April 2009.

OTHER BUSINESS

Mayor Williams asked for a motion to enter executive session to discuss pending litigation, per Section 121.22 (G) 3.

Mrs. Slotnick requested the handling of a couple of items before entering executive session. Mrs. Slotnick stated that there were two requests for donations before Council. She questioned if the one for Ottawa County Ohio State Alumni Association should read "\$500.00" not "\$1,500.00" on the last line. Mr. Reynolds agreed it should read as \$500.00.

Moved by Mrs. Slotnick, seconded by Mrs. Kreager to grant the donation of \$500.00 to the Ottawa County Ohio State Alumni Association to help pay the costs of The Ohio State Marching Band to appear in the Genoa Homecoming Parade. Roll called: Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 4, Nay 0.

Moved by Mrs. Slotnick, seconded by Mr. Bittner to grant the donation of \$1,500.00 to the Village of Genoa to be part of the grant for a sound system for the downtown. Roll called: Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 4, Nay 0.

Mrs. Slotnick also noted that snow removal on sidewalks in the vicinity of Brunner School had not been done, causing students walking to school to walk in the streets. Also, this is the same area where the grass is allowed to grow high in the summer. Mr. Reynolds stated this would be discussed at the next Planning Commission meeting.

Mayor Williams asked for a motion to enter executive session to discuss pending litigation, per Section 121.22 (G) 3.

Mrs. Slotnick moved, seconded by Mr. Adams to enter executive session. Roll called: Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 4, Nay 0. Motion passed.

Entered executive session at 8:25 PM.

Mr. Fryman arrived at 8:30 PM.

Exited executive session at 8:46 PM.

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Mrs. Slotnick presented **Ordinance 08-09**, an Ordinance Authorizing the Village Administrator to Award a Base Bid for Solid Waste, Recycling and Yard Waste to the Waste Management of Ohio, Inc., of 6526 Wales Road, Northwood, Ohio 43619 for Weekly Refuse and Weekly Recycling Collection on Monday of Each week, For a Five (5) Year Period, and Declaring An Emergency. Mrs. Slotnick moved and Mr. 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. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 5, Nay 0. Mrs. Slotnick moved, Mr. Adams seconded that **Ordinance 08-09** be passed as an emergency measure in accordance with ORC 731.30. Roll called: Mr. Fryman, Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 5, Nay 0. Motion passed.

Moved by Mr. Adams, seconded by Mr. Fryman to adjourn meeting. Roll called: Mr. Fryman, Mr. Bittner, Mr. Adams, Mrs. Kreager and Mrs. Slotnick. Yea 5, Nay 0. Motion passed.

Meeting adjourned at 8:50 PM.

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


FISCAL OFFICER


MAYOR

Dear Mayor and members of Council,

I am writing because I believe our community is in dire straits. In the 32 years since my business was established a number of crises have arisen, but never before have I been moved to make an appeal such as this. These are hard economic times and as a result every business I have spoken with is struggling. Now, more than ever, it is vital that we project a warm and welcoming community image.

Instead it appears to me that a new policy of over zealous community policing has been implemented. Why? Is there rampant crime, public drunkenness, or a history of verifiable complaints to Council? As an involved member of the community, I am not aware of any of this. It appears to me this policy is designed to selectively and maliciously intimidate legitimate establishments. To an objective person this could be viewed as crossing the line between law enforcement and harassment. The result has been damage to business, an ugly lawsuit and needless negative publicity about your town.

Next, we turn up traffic enforcement. Why? Has there been a rash of traffic accidents or injuries? Again I am not aware of any such situation. What has been the result of this policy? Now Genoa is getting the reputation of a "Speed Trap". Is this the image you as a Council member want to project to the outsiders we depend upon for our livelihoods?

Now, we have "Operation Flagship". I am not aware of any laws that were broken until your police department initiated this sting. What are the results of this action? We will see fines and possible imprisonment, damage to and possible business closures, loss of jobs and tax revenue, more expensive litigation and negative publicity resulting in the headline "BOOZE BUST IN GENOA". Again, I ask, as council members is this the image of Genoa you want to project?

All of this was completely avoidable! The village could have been proactive and initiated a program to educate citizens, business owners, parents and young adults about the perceived problem. In fact, it has come to my attention that a seminar had been scheduled which was designed to avert exactly this kind of tragedy. Unfortunately, it was cancelled and your Police Department seems to have chosen a policy of intimidation rather than education.

One only has to travel a few miles in any direction to see empty storefronts, boarded up windows, and closed businesses. Is this the future of Genoa? We have been blessed with a true sense of cooperation between businesses, the Village, and its residents. This community involvement has spawned a thriving and lively downtown. These accomplishments have been unbelievable! Unfortunately, recent events have dealt these efforts a setback from which Genoa may never recover.

As a member of council were you aware of, and did you approve of the policies of your Police Department? It is time for all Council members and the Mayor to realize that they

are ultimately responsible for the damage that is being done and take control to put an end to these malicious and detrimental actions.

It should be understood that these are my feelings and mine alone. I urge you to talk to your constituents and other businesses to hear their opinions on these issues.

I welcome you to contact me at any time to express your opinion regarding my concerns. My door is always open and my private phone number is 419-466-9396.

Sincerely,

Dave Grosjean

Cc: Mayor Williams
Dave Fryman
Betsy Slotnick
Jennifer Kreager
Darryl Bittner
Dave Adams
Steve Bialorucki