

RECORD OF PROCEEDINGS
GENOA VILLAGE COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ November 16, 2009 _____ 20 _____

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

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

Mayor stated Mr. Adams was attending his daughter's first basketball game and asked to be excused. Moved by Mrs. Slotnick, seconded by Mr. Fryman to excuse Mr. Adams. Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Also present were Garth Reynolds, Village Administrator, Charles Brinkman, Fiscal Officer, and Cindy Smith, Village Solicitor.

APPROVAL OF MINUTES

Minutes of the November 2, 2009 were presented.

Moved by Mr. Bialorucki, seconded by Mr. Bittner to accept the minutes of the November 2, 2009 meeting.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

ENGINEER'S REPORT

Mr. Reynolds stated no report.

ADMINISTRATOR'S REPORT

Written report was presented. Mr. Reynolds stated that he was available to answer any questions.

Mr. Fryman asked if this was the place to discuss the Board of Zoning Appeals decision. Mr. Reynolds stated not at this time.

FISCAL OFFICER'S REPORT

Mr. Brinkman presented paid bills of \$292,641.17.

Mr. Bittner moved to accept paid bills, seconded by Mr. Fryman.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Mr. Brinkman informed Council that he would be out of the office on Wednesday, November 18, 2009 at training.

RECREATION ADVISORY BOARD

Mr. Reynolds stated no report.

MAYOR'S REPORT

No written report, but a couple of items to mention for Council.

Mayor reported that November 27 to November 29, 2009 is the Genoa Holiday Open House. November 17, 2009 there is a meeting of the Genoa Homecoming Committee. Mayor also reported that the Genoa American Legion is having a "Feather party" on November 20, 2009 at 7:00 PM. Mayor has called the Salvation Army about volunteering to ring the bell at Miller's New Market and informed them that Council would be there on November 28, 2009. Mrs. Kreager and Mr. Bittner volunteered to be there from 10:00

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AM to noon. Mr. Fryman will check his calendar and inform the Mayor as to his availability.

Mayor stated he had received notice that the Genoa Public Works Department had received an award for no lost time in 2009 from Public Power. Special thanks to Wayne Diebert, Rex Diebert, Mark Everhardt, John Krupa and Charles Genzman for their efforts and a well deserved award. Charles Genzman was also awarded a Public Power Target Safety award, which the Mayor stated was well deserved and wished Charlie well in his retirement.

ECONOMIC DEVELOPMENT COMMITTEE

Mr. Fryman stated no report, but stated he had been remiss in reporting on the Land Use Plan. Regional Planning has adopted the Land Use Plan and Mr. Fryman will get the map to Mr. Reynolds for Village use.

STREETS/SIDEWALKS COMMITTEE

Mrs. Slotnick stated that a meeting was held before Council's meeting to review the Tree Commission's criteria for rating trees. Mrs. Slotnick presented Tree Committee minutes of October 8, 2008 and Streets and Sidewalks minutes.

Moved by Mr. Fryman, seconded by Mrs. Kreager to accept the minutes of Streets and Sidewalks meeting held November 2, 2009.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

UTILITIES COMMITTEE

Mr. Bialorucki presented minutes of the joint meeting with Finance/Insurance on November 9, 2009. Also, there was another joint meeting with Finance/Insurance before Council meeting tonight to discuss electric rates.

Moved by Mrs. Kreager, seconded by Mr. Fryman to accept the minutes of joint meeting of Utilities and Finance/Insurance held November 9, 2009.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Due to questions being brought to the joint meeting, Mr. Bialorucki stated another joint meeting is scheduled for 6:45 PM before Council meeting on December 7, 2009.

FINANCE /INSURANCE COMMITTEE

As Mr. Adams was absent, the Mayor presented the minutes of Finance/Insurance for the meeting held on November 9, 2009.

Moved by Mr. Fryman, seconded by Mrs. Kreager to accept the minutes of Finance/Insurance meeting held November 9, 2009.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

SAFETY COMMITTEE

Mr. Bittner presented the minutes of the November 9, 2009 meeting.

Moved by Mrs. Kreager, seconded by Mr. Bialorucki to accept the minutes of meeting of Safety Committee held November 9, 2009.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

AD HOC COMMITTEE

Mrs. Kreager stated no report.

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Mr. Reynolds discussed the Board of Zoning Appeals decision on Variance 04-09 and that a petition to appeal the BZA decision has been presented to the Village Council. Mrs. Slotnick, President of Council, stated that the appeal should be published on November 17, 2009 and that a Council of the Whole is scheduled to hear the appeal on December 21, 2009 at 6:30 PM.

PERSONNEL COMMITTEE

Mrs. Slotnick stated no report but Ordinance 37-09 adopting the Personnel Policy and Procedure Manual was up for the third reading.

Mrs. Slotnick asked to return to Streets and Sidewalks. In discussion with Mrs. Smith, it has been recommended to bring in an ordinance changing Section 153.12 for the policy on undesirable but not dangerous trees.

Moved by Mrs. Slotnick, seconded by Mr. Bittner to direct Mr. Reynolds to bring in an ordinance amending Tree policy Section 153.12 of Genoa's Codified Ordinances.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Mrs. Slotnick noted that the ordinance would have two readings and then be passed as an emergency.

Mrs. Slotnick stated the Emerald Ash Borer Management Plan needs to be adopted, but could be done by a motion of Council.

Moved by Mrs. Slotnick, seconded by Mr. Fryman to accept the Emerald Ash Borer Management Plan as presented by the Tree Commission.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

ANYONE WISHING TO ADDRESS COUNCIL

Kevin Gladden, Genoa Public Works Director, reported that the Ohio EPA had granted the Village's lagoon a five year discharge permit. This is unusual in that most permits are issued in the two to three year range.

Also, Mr. Gladden stated that the US EPA has approved the Village's IDSE Plan. This will allow the Village to lower the testing frequency on our water supply. Mr. Gladden wished to thank Dick Hineman of Poggemeyer Design Group for his valuable assistance in this project.

Mr. Gladden asked Council to table Ordinance 37-09 until January 1, 2010 as it has the potential to leave the citizens without sufficient coverage from public works. Mr. Gladden main concern is sick leave will not be counting as worked time for counting overtime. Mr. Gladden also expressed concerns regarding the current policy of cashing out unused sick leave at the end of the year, instead of having a minimum of sick days in the bank before being able to cash out. He stated he might be better off working as hourly rather than as a salary employee if he would be unable to cash out his vacation time. Mr. Gladden also expressed that he was speaking for the citizens of the Village. He stated the employees are willing to work for the residents.

Elmer Terrell of 518 Superior Street asked if something could be done about the trees that are hitting the roof of his house. Mrs. Slotnick asked if these were the ones on Sixth Street. Mr. Terrell remarked it was. The Mayor asked if Mr. Terrell had talked to Mr. Reynolds. Mr. Terrell stated he had called the offices. The Mayor stated it would be looked into and Mr. Reynolds would get back to him.

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ORDINANCES/RESOLUTIONS/MOTIONS

Mr. Fryman stated that all meetings concerning the Personnel and Policy Manual were conducted in open meetings. Mrs. Slotnick stated this had been a two year process.

Ordinance 37-09 Third Reading by Mrs. Slotnick.

Mrs. Slotnick presented the third reading of **Ordinance 37-09**, an Ordinance Adopting the Village of Genoa, Ohio Personnel Policy and Procedure Manual.

Mrs. Slotnick moved, seconded by Mr. Fryman to pass **Ordinance 37-09**. After some discussion, Mrs. Slotnick moved, seconded by Mr. Bialorucki to withdraw the motion to pass **Ordinance 37-09**.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Moved by Mrs. Slotnick, seconded by Mrs. Kreager to table third reading of **Ordinance 37-09** till next Council meeting of December 7, 2009.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Mrs. Slotnick called for a Personnel Committee meeting on November 23, 2009 at 6:00 PM in the Village Town Hall.

Ordinance 38-09 Third Reading by Mr. Fryman.

Mr. Fryman presented the third reading of **Ordinance 38-09**, an Ordinance Repealing Ordinance Number 54-04 An Ordinance Establishing a Residency Requirement for the Village of Genoa Police Officers Excluding the Chief of Police.

Moved by Mr. Fryman, seconded by Mrs. Slotnick to pass **Ordinance 38-09**.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Ordinance 39-09 Third Reading by Mr. Bittner.

Mr. Bittner presented the third reading of **Ordinance 39-09**, an Ordinance Waiving the Residency Requirement for the Chief of Police and Establishing a Twenty (20) Minute Drive Time to the Village Corporation Limits.

Moved by Mr. Bittner, seconded by Mr. Fryman to pass **Ordinance 39-09**.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Ordinance 40-09 Third Reading by Mr. Bialorucki.

Mr. Bialorucki presented the third reading of **Ordinance 40-09**, an Ordinance Waiving the Residency Requirement for the Village Administrator and Establishing a Twenty (20) Minute Drive Time to the Village Corporation Limits.

Moved by Mr. Bialorucki, seconded by Mr. Bittner to pass **Ordinance 40-09**.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Ordinance 41-09 Third Reading by Mrs. Kreager.

Mrs. Kreager presented the third reading of **Ordinance 41-09**, an Ordinance Waiving the Residency Requirement for the Village Fiscal Officer and Establishing a Twenty (20) Minute Drive Time to the Village Corporation Limits.

Moved by Mrs. Kreager, seconded by Mrs. Slotnick to pass **Ordinance 41-09**.

Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

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Vote: Yea 5, Nay 0. Motion passed.

Ordinance 44-09 First Reading by Mrs. Slotnick.

Mrs. Slotnick presented the first reading of **Ordinance 44-09**, an Ordinance to Make Temporary Appropriations for Current Expenses and Other Expenditures of the Village of Genoa, State of Ohio, During the Fiscal Year Ending December 31, 2010, And Declaring an Emergency.

Ordinance 45-09 First Reading by Mr. Bialorucki.

Mr. Bialorucki presented the first reading of **Ordinance 45-09**, an Ordinance Authorizing the Fiscal Officer to Transfer Fifteen Hundred Dollars (\$1,500.00), from Street Fund (201), Eight Thousand Dollars (\$8,000.00), from Water Fund (601), Four Thousand Eight Hundred Dollars (\$4,800.00) from 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 of Making a Debt Payment in February 2010 of Thirty-Nine Thousand Three Hundred Dollars (\$39,300.00), And Declaring an Emergency.

Ordinance 46-09 First Reading by Mr. Fryman.

Mr. Fryman presented the first reading of **Ordinance 46-09**, an Ordinance Reducing the Appropriations in the Following Funds: Street Construction (\$20,000.00); Recreation (\$2,500.00); Capital Improvements (\$25,000.00); Sewer-Issue II (\$225,000.00); and Sanitary Sewer (\$85,000.00) And Declaring an Emergency.

OTHER BUSINESS

Mrs. Slotnick liked the new look on the agendas.

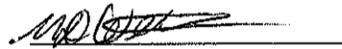
Mayor thanked Kevin Gladden and public works department for their hard work this year.

Motion to adjourn the meeting was made by Mr. Bittner, seconded by Mrs. Kreager. Roll called: Mr. Fryman, Mr. Bittner, Mr. Bialorucki, Mrs. Kreager and Mrs. Slotnick, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Meeting adjourned at 8:26 PM.


FISCAL OFFICER


MAYOR

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