

**RECORD OF PROCEEDINGS**  
GENOA VILLAGE COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_ January 4, 2010 \_\_\_\_\_ 20\_\_\_\_\_

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

Roll called: present were: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise.

As this is the first meeting in 2010, nominations for Council President were requested by Mayor Williams.

Mr. Brown nominated Mr. Adams, seconded by Mr. Hise. No other nominations. Secret ballot passed to Clerk. Vote was Mr. Adams 6, no other votes. Mr. Adams is Council President for 2010.

Mr. Hise nominated Mr. Lewis for Council Pro Temp, seconded by Mr. St. Marie. Mrs. Smith stated that this was not needed, as the Council President only acts as Mayor if the Mayor is not present, then a Pro Temp for Council President is selected, but stated if Council wished to act nothing prevented the action.

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, 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 December 21, 2009 meeting were presented.

Mrs. Smith had a couple of corrections; under Ad Hoc add "Mrs. Smith asked Mr. Reynolds to check with our insurance company for liability issues." Also, under Other Business, add to motion to go into Executive Session "for compensation of a public official."

Moved by Mr. Adams, seconded by Mr. Bittner to accept the minutes of the December 21, 2009 meeting as amended.

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

Minutes of the December 29, 2009 Special Meeting were presented. Mrs. Smith added to motion to go into Executive Session the following; "for compensation of a public employee and promotion of another public employee."

Moved by Mr. Adams, seconded by Mr. Bittner to accept the minutes of the December 21, 2009 meeting as amended.

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

ENGINEER'S REPORT

Mr. Reynolds stated no report.

ADMINISTRATOR'S REPORT

Written report was presented. Mr. Reynolds stated that as for Item #4, the Meldahl/Greenup Project; Courtney and Associates, the consultants have recommended that the Village not participate in this project. As there is a February 1, 2010 deadline, Mr. Reynolds is asking that Ordinance 47-09 be defeated. Mr. Hise asked Mr. Reynolds how much we were paying AMP per kilowatt hour. Mr. Brinkman stated in the 7-8 cents range.

Mr. Reynolds stated that AMP would be here on January 19, 2010 at 6:15 PM to review with Council the relationship that the Village of Genoa has with AMP and future electric projects, and any questions Council would like to ask the representatives from AMP.

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Mr. Hise would like to be on the Utilities Committee as he has spoken to an electric supplier in Columbus who could deliver electricity to our customer's door and as the rates have historically been the Village's lure for residents and new business would like to pursue these options.

Moved by Mr. Adams, seconded by Mr. St. Marie to call a Committee of the Whole meeting for January 19, 2010.

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

Moved by Mr. Adams, seconded by Mr. Brown to move the regularly scheduled Council meeting from January 18 to January 19 in honor of Martin Luther King Day.

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

## FISCAL OFFICER'S REPORT

Mr. Brinkman presented paid bills of \$236,807.24.

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

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

Mr. Hise stated that in reviewing the legal fees for the last eighteen months they are pushing \$90,000.00. He has asked Mrs. Smith to bill him for calls he has placed to her on Village business. Mr. Hise asked Council and Administration to watch their calls to Mrs. Smith as this cost the taxpayer's money, especially routine business. Fiscal officer not trained in public records until November 18, 2009 and understands why Mrs. Smith stated she was not comfortable billing direct and the money was not paid all to her. Mr. Hise stated had to be more careful with the calls.

*NOT ALL legal fees money  
contract is with Village not with  
individual Council members*

## RECREATION ADVISORY BOARD

Mr. Reynolds stated no report.

## MAYOR'S REPORT

Reviewed memo to new Council members and packets that contained necessary information.

Mayor asked that Council have there requests for Committees by next meeting so that committees can be finalized. Mayor asked that all members review Section 121 in Codified Ordinances so that members are familiar with those rules.

## ECONOMIC DEVELOPMENT COMMITTEE

No report as there is no assignment.

## STREETS/SIDEWALKS COMMITTEE

No report as there is no assignment.

## UTILITIES COMMITTEE

No report as there is no assignment.

## FINANCE /INSURANCE COMMITTEE

No report as there is no assignment.

## SAFETY COMMITTEE

No report as there is no assignment.

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AD HOC COMMITTEE

No report as there is no assignment.

PERSONNEL COMMITTEE

No report as there is no assignment.

ANYONE WISHING TO ADDRESS COUNCIL

Mike Driver asked what has happened to the lights for the flags at the police station and fire station. Mayor stated would look into the police station situation and let the Fire Chief know about the one at the fire station.

ORDINANCES/RESOLUTIONS/MOTIONS

Mrs. Smith reviewed for Council the procedures for an emergency ordinance. Mrs. Smith stated that when an Ordinance has "and Declaring an Emergency," *that it requires five Affirmative votes.*  
Mr. Bittner stated that the new members did not have copies of Ordinance 47-09 and 48-09. Mayor stated that when an Ordinance is introduced for more than one reading, only one copy will be in your Council packet.

**Ordinance 47-09** Third Reading by Mr. Adams.

Due to the fact the new Council members did not have a copy prior to the meeting, moved by Mr. Adams, seconded by Mr. Bittner to table **Ordinance 47-09**. *Ordinance passed as emergency becomes effective immediately upon passage.*

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

**Ordinance 48-09** Third Reading by Mr. Bittner.

Due to the fact the new Council members did not have a copy prior to the meeting, moved by Mr. Adams, seconded by Mr. Bittner to table **Ordinance 48-09**.

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

**Ordinance 01-10**

Mr. Adams presented **Ordinance 01-10**, 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.

Motion by Mr. Adams and seconded by Mr. Bittner that the rule requiring ~~Resolutions~~ *Ordinance* to be fully and distinctly read on three different days be dispensed with in accordance with ORC 731.17.

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

Mr. Adams moved, Mr. Bittner seconded that **Ordinance 01-10** be passed as an emergency measure in accordance with ORC 731.30.

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

Mr. Lewis asked why the whole ordinance was not read. Mrs. Smith explained that only the header needed to be read.

OTHER BUSINESS

Mr. Adams moved, seconded by Mr. Hise to enter executive session per ORC 121.22 G (1) for the discipline of a public employee.

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Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

Entered executive session at 8:15 PM; exited executive session at 8:50 PM.

Mrs. Smith stated she was not comfortable billing direct to Council and would continue to bill as she has in the past. Mrs. Smith started as Solicitor in November of 1988 and a small percentage of the calls have come from Council.

Mr. Hise stated was surprised at the dollar amount spent.

Mayor asked Council to contact him or Mr. Reynolds before calling Mrs. Smith as we do not want the budget to get out of line.

Mr. Hise asked Mr. Reynolds if he knew where his original contract was. Mr. Reynolds stated he had a copy, Mr. Hise said he had an original.

Mr. Hise asked Mr. Brinkman what is job was?

Mr. Brinkman replied accounts receivable, accounts payable, Income Tax, personnel, payroll, Council clerk, records clerk, and many more.

Mr. Hise stated that Mr. Brinkman spends a lot of time in meetings with Mr. Reynolds and with Mr. George Adams Mr. Brinkman would have been lucky to get five minutes a day. Mr. Hise questioned the time in meetings.

Mr. Brinkman stated it was a different managerial style.

Mr. Hise started to ask another question.

Mr. Adams stated this was getting out of line.

Mayor stated that attendance to Council meetings and Committee meetings is very important. Mayor understands that family and family vacations happen but Council should try to make all meetings.

Motion to adjourn the meeting was made by Mr. Adams, seconded by Mr. Brown.

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 6, Nay 0. Motion passed.

Meeting adjourned at 9:03 PM.

  
FISCAL OFFICER

  
MAYOR