

RECORD OF PROCEEDINGS

Minutes of

GENOA VILLAGE COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ January 19, 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.

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

APPROVAL OF MINUTES

Minutes of the January 4, 2010 meeting were presented.

Mrs. Smith had a couple of corrections; under Fiscal Officer's Report, last line, should read "Council members as her contract is with the Village and not individual Council members." Mrs. Smith also added "not all legal fees were paid to her but also outside legal council as well."

Under Ordinances and Resolutions, Mrs. Smith added to line two "that it requires five affirmative votes. Ordinances passed as emergency become effective upon passage."

Also, under Ordinance 01-10, second paragraph, line one change "Resolution" to "Ordinance".

Moved by Mr. Adams, seconded by Mr. Bittner to accept the minutes of the January 4, 2010 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. Rich Hertzfeld presented a written report. He discussed two projects: (1) Washington Street Reconstruction Phase 1 and, (2) 2009 Street Resurfacing project. Both projects are basically completed. Mr. Hertzfeld passed out his card and brochures of Poggemeyer Design Group.

ADMINISTRATOR'S REPORT

Written report was presented. Mr. Adams asked Mr. Reynolds if he is still recommending the defeat of Ordinance 47-09. Mr. Reynolds stated he was. Mr. Lewis asked if the bridge inspection is completed yearly; Mr. Reynolds stated it is.

Mr. Hise asked who was responsible for reporting on the Planning Commission. Mayor stated that a Council Liaison is appointed. Mr. Hise stated at the Planning Commission Mrs. Slotnick was sitting at the Council bench and she stated she had been invited to sit there. Mr. Hise wanted to know who invited her as it could be confusing to the public. Mayor stated there were no rules as to who could sit at the bench and asked if Mr. Hise wanted one. Mr. Hise stated he did.

Mr. Hise moved, seconded by Mr. St. Marie that no one, not on a standing committee, board or Council can sit at the Council desk.

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 about the tree trimming in the Village. Mr. Reynolds stated they were from AMP and were doing the trimming for the electric lines. Mr. Lewis asked about the cost and Mr. Reynolds stated it was a fair price.

FISCAL OFFICER'S REPORT

Mr. Brinkman presented paid bills of \$36,217.87.

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Mr. Hise asked when the process was changed to bringing the bills as paid to Council for approval, Mr. Brinkman stated this was the procedure when he started. Mr. Hise stated it was not. Mr. Adams stated the procedure was changed and the paid bills are placed in front of Finance Chairman before each meeting. Mr. Hise stated there have been questionable expenses and no reasons for bills being accumulated and accrued. Mayor stated the bills are usually here by 7:00 PM before Council for any Council member to inspect

Mr. Bittner moved to accept paid bills, seconded by Mr. Adams.
Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams and Mr. Brown. Yea: Mr. Hise, Nay.
Vote: Yea 5, Nay 1. Motion passed.

Mr. Brinkman stated that 2009 year has been closed. Also, Mr. Brinkman talked about the cost savings of sending postcards instead of Income Tax forms to those that chose not to use Genoa's tax form. Savings are approximately \$350.00.

RECREATION ADVISORY BOARD

Mr. Reynolds stated no report.

MAYOR'S REPORT

Mayor said he had a correction for the newspaper; when the Mayor is absent the Council President will act as Mayor and the Pro Tem will act as Council President; not Mayor.

Mayor asked Council to adopt Council rules as stated in of Section 121.03.

Mr. Hise questioned why it was necessary. Mrs. Smith explained that it is required each year that Council adopts Council rules. Genoa's Council Rules were in Section 121.03. Moved by Mr. Adams, seconded by Mr. Bittner to adopt Council rules.

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.

Mayor presented his written State of the Village message. Mayor also presented a written break down of legal fees for the last two years. Mrs. Smith noted that Clemans-Nelson and Hylant were not Law firms but consultants or insurance companies.

Moved by Mr. Adams, seconded by Mr. Lewis to accept the Mayor's appointments to committees.

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams and Mr. Brown. Yea: Mr. Hise, Nay.

Vote: Yea 5, Nay 1. Motion passed.

Mayor reported that there is a Genoa Homecoming meeting on January 21, 2010 at 6:30 PM.

ECONOMIC DEVELOPMENT COMMITTEE

No report this meeting.

STREETS/SIDEWALKS COMMITTEE

No report this meeting.

UTILITIES COMMITTEE

Mr. Hise called a meeting for January 25, 2010 at 6:30 PM in Village Town Hall.

FINANCE /INSURANCE COMMITTEE

Mr. Adams called a meeting for February 1, 2010 at 6:30 PM in Village Town Hall.

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SAFETY COMMITTEE

Mr. Bittner called a meeting for January 21, 2010 at 7:30 PM in Village Town Hall. Also, presented the Fire Chief's report from meeting of January 14, 2010.

AD HOC COMMITTEE

No report this meeting.

PERSONNEL COMMITTEE

Mr. Brown called a meeting for February 2, 2010 at 6:30 PM in Village Town Hall.

ANYONE WISHING TO ADDRESS COUNCIL

No one asked to address Council.

ORDINANCES/RESOLUTIONS/MOTIONS

Mr. Adams moved, seconded by Mr. Brown to untable Ordinance 47-09

Roll called: Mr. St. Marie, Mr. Bittner, Mr. Lewis, Mr. Adams and Mr. Brown. Yea. Mr. Hise, Nay.

Vote: Yea 5, Nay 1. Motion passed.

Ordinance 47-09 Third Reading by Mr. Adams.

Mr. Adams presented the third reading of **Ordinance 47-09**, an Ordinance Approving the Form and Authorizing the Execution of Power Sales Contracts with the American Municipal Power, Inc. and Taking Other Actions in Connection Therewith Regarding Meldahl and Greenup Hydroelectric Project Participation And Declaring an Emergency.

Mr. Adams moved, seconded by Mr. Bittner to not support this Ordinance.

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. The motion to not adopt Ordinance 47-09 passed and Ordinance 47-09 was defeated.

Ordinance 48-09 Third Reading by Mr. Bittner.

Mr. Adams moved to untable Ordinance 48-09. Mr. Hise asked for time to have a Utilities Committee meeting. Mr. Adams withdrew is motion.

Ordinance 02-10

Mr. Adams presented **Ordinance 021-10**, an Ordinance Authorizing the Fiscal Officer to Transfer Twenty Four Thousand Dollars (\$24,000.00) from the Water Fund (601), into the OWDA Washington Street-Fifth Street Waterline Payment Fund (304), And Declaring an Emergency.

Motion by Mr. Adams and seconded by Mr. Brown 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. 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. St Marie seconded that **Ordinance 02-10** 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.

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OTHER BUSINESS

Mr. Brinkman stated that after Mr. Hise asked in the last Council meeting what the Fiscal Officer does, Mr. Brinkman invited all Council members to stop in and discuss the duties Mr. Brinkman has.

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

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 8:25 PM; exited executive session at 9:08 PM.

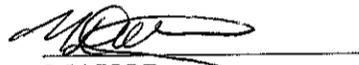
Motion to adjourn the meeting was made by Mr. Adams, seconded by Mr. St. Marie.

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 9:08 PM.


FISCAL OFFICER


MAYOR