

RECORD OF PROCEEDINGS
GENOA VILLAGE COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

December 20, 2010

20

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

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

Also present were Garth Reynolds, Village Administrator, Brian Ballenger, Village Solicitor and Charles Brinkman, Fiscal Officer.

APPROVAL OF MINUTES

Minutes of the December 6, 2010 meeting of the Committee of the Whole were presented.

Moved by Mr. Brown, seconded by Mr. Adams to accept the minutes of the December 6, 2010 Committee of the Whole meeting as presented.

Roll called: Mr. St Marie, Mr. Bittner, Mr. Adams and Mr. Brown, all Yeas. Mr. Hise Nay. Vote: Yea 4, Nay 1.

Mr. Lewis arrived at 7:38 PM.

Mr. Hise stated he had a question, he had requested a CD of the last meeting and only about 50% was audible. Mr. Hise stated if talking directly into the microphones you can be heard, but if you turn your head, cannot be heard.

Mr. Brinkman stated that the recording requested was from the November 15, 2010 meeting.

Mr. Hise asked how the minutes can be accurate if only 50 % is recorded.

Mr. Brinkman stated that he uses notes he takes to insure the minutes include the pertinent information.

Mr. Hise asked why he was not provided the notes also.

Mr. Hise asked the Mayor about the cost of the system and whether the system should be scrapped so something could be installed to have a complete recording of the meetings.

Mayor stated he was not aware of any problems with the recordings.

Mr. Brinkman stated that Council was given training on the use of the system.

Mr. Hise stated he did not remember any training and where were the minutes showing the training.

Mr. Brinkman stated that the training was before the meeting started and did not show up in any minutes.

Minutes of the December 6, 2010 Council meeting were presented. Mr. Lewis stated that on Page 2, under Finance/Insurance, Line 1 that "20100" should read "2010".

Moved by Mr. Brown, seconded by Mr. Adams to accept the minutes of the December 6, 2010 Council meeting as amended.

Roll called: Mr. St Marie, Mr. Bittner, Mr. Lewis, Mr. Adams and Mr. Brown, all Yeas. Mr. Hise Nay. Vote: Yea 5, Nay 1.

ENGINEER'S REPORT

Mr. Rich Hertzfeld of Poggemeyer Design Group reported on current items:

1. 2010 Street Resurfacing Program

Bids were opened on August 26, 2010

Project was completed by Jennite Company.

Final walk-through was held November 23, 2010 and a few minor work items to complete were noted.

Jennite Company has since completed the project and this project will be closed out.

2. North Coast Inland Trail Extension

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Poggemeyer has prepared a draft pre-application letter of interest for grant funding for the Ohio Department of Transportation.

Also, working on a draft application to the Ohio Department of Natural Resources, Regional Trails Fund, which is also due on February 1, 2011.

Mr. Lewis asked about the ongoing situation with Graymont Corporation, and will Poggemeyer be involved in trying to find a resolution. Mr. Hertzfeld stated that they are aware of the problem and will monitor as needed.

ADMINISTRATOR'S REPORT

Mr. Reynolds presented a written report.

Mr. Reynolds asked for Council approval ^{for} ~~for~~ to pay CMI's annual software invoice in the amount of \$8,782.00. Moved by Mr. Adams, seconded by Mr. Lewis to approve the payment to CMI for \$8,782.00.

Roll called: Mr. St Marie, Mr. Bittner, Mr. Lewis, Mr. Adams and Mr. Brown, all Yeas. Mr. Hise Nay. Vote: Yea 5, Nay 1.

Mr. Lewis asked about the health insurance meeting. Mr. Reynolds stated it was to inform employees of the changes for 2010 to 2011. Mr. Lewis asked if Council had the option to be covered. Mr. Reynolds stated no.

Mr. Lewis asked if the doors to the Senior Center would be replaced if the Village did not get the grant. Mr. Reynolds stated that the Village had received the grant; it is a 25% match. Mr. Lewis asked if other doors would be replaced. Mr. Reynolds stated they would be also a curb ramp would be installed.

Mr. Hise stated that at the beginning of the year, the Mayor had explained the benefits of the separation of the Executive, Administrative and Legislative branches of the Village. Could the Mayor explain why former Councilperson Betsy Slotnick had bypassed the liaison to Tree Commission (Mr. Hise) to go directly to Mr. Reynolds? Mayor stated Mrs. Slotnick needed some information for a form and needed the Mayor to then sign the form.

Mr. Hise asked Mr. Ballenger if that would not normally come through Mr. Hise for approval.

Mr. Ballenger stated without complete knowledge could not comment.

Mr. Hise stated that this summer there was a meeting, not posted, that when Mr. Hise arrived abruptly ended.

Mr. Reynolds stated Mr. Hise said you're fired.

Mr. Hise stated he did not say this.

Mr. Bittner wished to thank Mr. Reynolds for his help in getting the alley on Buckeye Street taken care of.

FISCAL OFFICER'S REPORT

Mr. Brinkman presented paid bills of \$299,164.82. Mr. Brinkman also reported that Charles E. Harris & Associates Inc. have been awarded the contract to perform the Villages' audits for the period of 2010 thru 2013.

RECREATION ADVISORY BOARD

Mr. Reynolds stated no report.

MAYOR'S REPORT

Mayor stated no written report but a few items to discuss.

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Mayor asked for a motion to advertise for the position of Police Chief.
Moved by Mr. Bittner, seconded by Mr. Lewis to place advertisement for Police Chief.
Roll called: Mr. Bittner, Mr. Lewis and Mr. Adams, all Yeas. Mr. St Marie, Mr. Brown and Mr. Hise, all Nays. Vote: Yea 3, Nay 3. Mayor voted Yea to break tie. Motion passed.

Mayor asked if anyone on Council would like to change committee assignments, if so, let him know soon.

Mayor scheduled a Records Committee meeting for January 18, 2011 at 7:00 PM.

ECONOMIC DEVELOPMENT COMMITTEE

Mr. St Marie stated no report. Mr. St Marie scheduled a meeting for January 18, 2011 after Council, approximately 8:30 PM.

STREETS/SIDEWALKS COMMITTEE

Mr. Brown stated no report.

UTILITIES COMMITTEE

Mr. Hise presented minutes of the November 15, 2010 meeting.

FINANCE /INSURANCE COMMITTEE

Mr. Adams stated no report.

SAFETY COMMITTEE

Mr. Bittner presented the minutes of the Fire Chief and Assistant Fire Chief from the December 9, 2010 meeting.
Mr. Bittner scheduled a meeting for January 18, 2011 at 6:00 PM in Village Town Hall.

AD HOC COMMITTEE

Mr. Lewis stated no report. Mr. Lewis stated the next Rails-to-Trails meeting will be January 5, 2011 in Elmore.

PERSONNEL COMMITTEE

Mr. Brown stated no report.

ANYONE WISHING TO ADDRESS COUNCIL

Rob Marko of D & M Enterprises asked about installation of a water line from Main Street to their building. This would be approximately 260 feet.
Mr. Hise asked if this was from the main water line on Main Street.
Mr. Marko stated it was and D & M would do the work if the Village provided the material.
Mayor asked if a proposal had been presented for this project.
Mr. Marko stated the proposal was submitted to the Administrator.
Mayor asked to have Mr. Marko contact Mr. Reynolds again.
Mr. Hise asked about a time frame for this project.
Mr. St Marie asked Mr. Gladden about this project,
Mr. Gladden stated that it had been approved to go to Superior Wire, but Mayor Verkin had stopped the water line from going further.
Mr. Lewis asked Mr. Herzfeld if Poggemeyer's would still have documentation of these plans.
Mr. Hertzfeld stated they would, but plans have a time limit on them before they expire.

*From Superior wire to their building on Dadd Street
12/10*

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ORDINANCES/RESOLUTIONS/MOTIONS

Mr. Adams presented the second reading of **Ordinance 39-10**, 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, 2011.

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. Brown seconded that **Ordinance 39-10** 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. Adams moved, seconded by Mr. Brown that **Ordinance 39-10** be passed.

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 presented **Ordinance 40-10**, an Ordinance Authorizing the Fiscal Officer to Transfer Nineteen Thousand Dollars (\$19,000.00) from the Capital Improvement Fund (403), into Major Projects D-1 Fund (405), and Declaring an Emergency

Motion by Mr. Lewis and seconded by Mr. Adams 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. Lewis moved, Mr. Adams seconded that **Ordinance 40-10** 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 moved, seconded by Mr. Adams that **Ordinance 40-10** be passed.

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 presented **Ordinance 41-10**, an Ordinance Authorizing the Fiscal Officer to Transfer Five Hundred Dollars (\$500.00) from the Electric Fund (603), to the Generation/ Substation Debt Fund (301), and Declaring an Emergency

Motion by Mr. Hise and seconded by Mr. Lewis 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. Hise moved, Mr. Lewis seconded that **Ordinance 41-10** 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. Hise moved, seconded by Mr. Lewis that **Ordinance 41-10** be passed.

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. Brown presented **Ordinance 42-10**, an Ordinance Authorizing the Fiscal Officer to Transfer Fifteen Hundred Dollars (\$1,500.00), 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),

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for the Purpose of Making A Debt Payment in February 2011 of Thirty-Nine Thousand Three Hundred Dollars (\$39,300.00), and Declaring an Emergency
Motion by Mr. Brown and seconded by Mr. Adams 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. Brown moved, Mr. Adams seconded that **Ordinance 42-10** 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. Brown moved, seconded by Mr. Adams that **Ordinance 42-10** be passed.

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. Bittner presented **Ordinance 43-10**, an Ordinance Vacating a Part of an Alley Within the Village of Genoa, and Declaring an Emergency

Motion by Mr. Bittner 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. Bittner moved, Mr. Brown seconded that **Ordinance 43-10** 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. Bittner moved, seconded by Mr. Brown that **Ordinance 43-10** be passed.

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 presented **Resolution 44-10**, a Resolution by the Council of the Village of Genoa Supporting the Ottawa County Commission to Act on Behalf of the Three (3) Jurisdictions (Clay Township, Village of Elmore, Village of Genoa) for the Elmore to Genoa Segment of the North Coast Inland Trail Project and More Particularly the Submission of an Application to the Ohio Department of Transportation (ODOT) and the Ohio Department of Natural Resources, and Declaring an Emergency

Motion by Mr. Lewis and seconded by Mr. Brown 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. St Marie, Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas. Vote: Yea 6, Nay 0. Motion passed.

Mr. Lewis moved, Mr. Adams seconded that **Resolution 44-10** 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 moved, seconded by Mr. Adams that **Resolution 44-10** be passed.

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. St Marie presented **Ordinance 45-10**, an Ordinance Reducing the Appropriations in the Following Funds: Capital Improvements (\$40,000.00); Sanitary Sewer (\$106,000.00); and Special Projects (\$20,000.00), and Declaring an Emergency

Motion by Mr. St Marie and seconded by Mr. Bittner that the rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with in accordance with ORC 731.17.

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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.

Mr. St Marie moved, Mr. Brown seconded that **Ordinance 45-10** 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. St Marie moved, seconded by Mr. Brown that **Ordinance 45-10** be passed.

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.

OTHER BUSINESS

Mr. Lewis moved, seconded by Mr. Hise to recall approved motion to advertise for a Police Chief.

Roll called: Mr. St Marie, Mr. Bittner, Mr. Lewis, Mr. Brown and Mr. Hise, all Yeas. Mr. Adams Nay. Vote: Yea 5, Nay 1. Motion passed.

Moved by Mr. Lewis, seconded by Mr. Hise to send to Safety Committee to review advertisement for Police Chief before coming to Council.

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 asked for motion to enter Executive session.

Mr. Hise moved, seconded by Mr. Lewis to enter Executive session per ORC 121.22 G; hiring and/or dismissal of a public employee and compensation of a public official.

Roll called: Mr. Bittner, Mr. Lewis, Mr. Adams, Mr. Brown and Mr. Hise, all Yeas. Vote: Yea 5, Nay 0. Motion passed.

Enter Executive session at 8:22 PM. Exited Executive session at 8:47 PM.

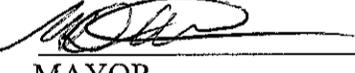
Motion to adjourn the meeting was made by Mr. Adams, seconded by Mr. Hise.

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.

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

Meeting adjourned at 8:48 PM.


FISCAL OFFICER


MAYOR