

RECORD OF PROCEEDINGS

Minutes of GENOA VILLAGE COUNCIL Meeting

December 7, 2015

Regular meeting

Acting Mayor Ken Harsanje Sr. called the meeting to order at 7:30 pm with the Pledge of Allegiance to the Flag.

Roll call:

Council members in attendance included Mr. Harsanje, Sr., Mr. Bittner, Mr. St. Marie, Mr. Lewis, Mr. Adams, and Mr. Brown.

Also in attendance were Village Administrator Kevin Gladden, Solicitor Brian Ballenger, and Fiscal Officer Julie Van Nest.

The minutes of the November 16, 2015 regular meeting were presented. Mr. Lewis brought forward two corrections. Page 2 in the Mayor's report concerning Black Swamp Market's liquor license; it should read application for liquor license not current liquor license. Also in the paragraph concerning the motion it should state Black Swamp Market's liquor license application, not current liquor license. Mr. Gladden also mentioned that in the vote it should be zero nay and six yea. Mr. Adams made a motion to accept the minutes of the November 16, 2015 meeting as amended; seconded by Mr. Bittner.

Roll call:

Yea: Mr. Adams, Mr. Bittner, Mr. Harsanje Sr., Mr. St. Marie, Mr. Adams, and Mr. Brown

Nay: 0

Motion carried.

ENGINEER'S REPORT- No report

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ADMINISTRATOR'S REPORT- A written report was provided. A copy is attached and entered into the minutes.

Mr. Gladden reported that the demolition of the house at 503 Buckeye St. is complete. The owner of the property had been given plenty of notice and did accept a certified letter the day the demolition began. Property owner did leave a message for Mr. Gladden the day after demolition was started and Mr. Gladden stated the Village can expect litigation concerning this property.

Mr. Gladden reported the owner of the property at 813 Railroad St. was sent a certified letter to the address given to the Utility department but was returned to the Village. Mr. Gladden stated he took the letter and put it in the mailbox of the address that was given, of 406 Arden Toledo, Ohio. Also a call was made to the owner on December 7, 2015 and a message was left with no response.

Mr. Gladden reported the next property that needed to be worked on was on Wilson Street. There was a recent auction and the property owner is deceased but the wife of the owner and her attorney should be willing to work with the Village.

Mr. Gladden reported he met with Fred Garcia and Kevin Mackey of Angry Irishman LLC. Mr. Garcia is requesting for rezoning of the Christ Community Church to a B-2. There will be a Planning Committee hearing January 11, 2016 at 7:00 pm in Town Hall concerning this. Mr. Mackey would like to use the garage for a processing and packing area. Mr. Gladden stated the only zoning that will work will be the B-2. Also he stated there will be less traffic than

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when this was the old bus garage and the buses ran from there.

FISCAL OFFICER-

Mrs. Van Nest reported that there is a lot of end of the year paperwork being worked on.

Mrs. Van Nest reported hard work is being done with the funds. We have a large payroll on December 11, 2015 and a smaller one yet for 2015. This will make the Village in the hole in the general fund. She and Mr. Ballinger are hoping to get approval by the courts to move funds to help with this before the end of the year.

Mrs. Van Nest reported the other funds are okay except the recreational fund, money will need to be transferred into this fund but that will depend on the decision from the court.

Mrs. Van Nest also reported W-2's will be coming up and the balancing of the end of the year.

Mr. Gladden reported there was a big issue with a transfer from the former Fiscal Officer; \$100,000.00 was transferred from the electric fund to the general fund in 2014. The former fiscal officer did this as a general transfer which cannot be done. He reported the Auditor said this needed to be paid back. The money was from the Series 204 bond from the electric rebuild project that was just sitting there. If a petition would have been filed with the courts this transfer would have been fine.

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Mr. Gladden reported that there was a \$70,000.00 fine from the IRS because the 2012 W-2's were not filed when due. Notice was just received that the fine was reduced to \$4,600.00.

Mr. Gladden stated at this time the Village is all up to date taking care of all fines and penalties that occurred.

MAYOR'S REPORT – No report

COMMITTEE REPORTS

Economic Development - No report

Mr. St. Marie reported there will be a meeting January 4, 2016 at 7:00 pm.

Streets & Sidewalks - No report

Utilities – No report

Mr. Harsanje Sr. reported there was a meeting held prior to the council meeting. He will have the written report at the next Council. The topic of the meeting concerned the landlords being responsible for unpaid utility fees incurred by their tenants.

Mr. Adams made a motion to permit Village administration to move forward on the process of bringing an ordinance to Council with a plan for landlord's responsibilities of delinquent utility fees; seconded by Mr. Bittner. Roll call:

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Yea: Mr. Adams, Mr. Bittner, Mr. Harsanje, Sr. , Mr. St. Marie, Mr. Lewis, Mr. Brown.

Nay: 0

Motion passed.

Finance/Insurance – No report

Safety – No report

AD-HOC – No report

Mr. Lewis reported they had a meeting held prior to the Council meeting concerning donations.

Mr. Lewis made a motion to donate \$250.00 to Joyful Connections and Ottawa County Community Foundation for \$250.00: seconded by Mr. St. Marie. Roll call:

Yea: Mr. Lewis, Mr. St. Marie, Mr. Bittner, Mr. Harsanje Sr., Mr. Adams, Mr. Brown

Nay: 0

Motion passed.

Mr. Gladden added that since all Council members were not present at the AD/HOC meeting held before the meeting and that there are no minutes from that meeting yet, both of these requests came unanimously out of the AD/HOC Committee tonight.

Personal – No report

GUESTS WISHING TO ADDRESS COUNCIL –

ORDINANCES/RESOLUTIONS –

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At this time Mr. Adams presented the following Ordinance to the Council for second reading:

Ordinance #26-15

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, 2016, and declaring an emergency.

At this time Mr. St. Marie presented the following Ordinance to the Council.

Ordinance #27-15

An Ordinance authorizing the Fiscal Officer to transfer \$22,500.00 from the Capital Improvement Fund (403), into the Major Projects D-1 (405), and declaring an emergency.

Mr. St. Marie made a motion to suspend the rules for Ordinance #27-15 to be read three times; seconded by Mr. Lewis. Roll call:

Yea: Mr. St. Marie, Mr. Lewis, Mr. Bittner, Mr. Harsanje Sr., Mr. Adams, Mr. Brown

Nay: 0

Motion passed.

Mr. St. Marie made a motion to pass Ordinance #27-15 as an emergency; seconded by Mr. Lewis. Roll call:

Yea: Mr. St. Marie, Mr. Lewis, Mr. Adams, Mr. Brown, Mr. Bittner, Mr. Harsanje Sr.

Nay: 0

Motion passed.

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Mr. St. Marie made a motion to adopt Ordinance #27-15: seconded by Mr. Lewis. Roll call:

Yea: Mr. St. Marie, Mr. Lewis, Mr. Harsanje Sr., Mr. Bittner, Mr. Brown, Mr. Adams

Nay: 0

Motion passed.

At this time Mr. Lewis presented the following Ordinance to the Council.

Ordinance #28-15

An Ordinance amending the annual Appropriations Ordinance #6-15 for the Village of Genoa, and declaring an emergency.

Mr. Lewis made a motion to suspend the rules for Ordinance #28-15 to be read three times; seconded by Mr. Bittner.

Roll call:

Yea: Mr. Lewis, Mr. Bittner, Mr. St. Marie, Mr. Harsanje Sr., Mr. Brown, Mr. Adams

Nay: 0

Motion passed.

Mr. Lewis made a motion to pass Ordinance #28-15 as an emergency per Ohio Revised code #731.30; seconded by Mr. Adams.

Roll call:

Yea: Mr. Lewis, Mr. Adams, Mr. Brown, Mr. St. Marie, Mr. Bittner, Mr. Harsanje Sr.

Nay: 0

Motion passed.

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Mr. St. Marie made a motion to adopt Ordinance #27-15: seconded by Mr. Lewis. Roll call:

Yea: Mr. St. Marie, Mr. Lewis, Mr. Harsanje Sr., Mr. Bittner, Mr. Brown, Mr. Adams

Nay: 0

Motion passed.

At this time Mr. Lewis presented the following Ordinance to the Council.

Ordinance #28-15

An Ordinance amending the annual Appropriations Ordinance #6-15 for the Village of Genoa, and declaring an emergency.

Mr. Lewis made a motion to suspend the rules for Ordinance #28-15 to be read three times; seconded by Mr. Bittner.

Roll call:

Yea: Mr. Lewis, Mr. Bittner, Mr. St. Marie, Mr. Harsanje Sr., Mr. Brown, Mr. Adams

Nay: 0

Motion passed.

Mr. Lewis made a motion to pass Ordinance #28-15 as an emergency per Ohio Revised code #731.30; seconded by Mr. Adams.

Roll call:

Yea: Mr. Lewis, Mr. Adams, Mr. Brown, Mr. St. Marie, Mr. Bittner, Mr. Harsanje Sr.

Nay: 0

Motion passed.

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Yea: Mr. Brown, Mr. St. Marie, Mr. Lewis, Mr. Adams, Mr. Bittner and Mr. Harsanje, Sr.

Nay: 0

Motion passed.

Mr. Adams made a motion to amend Ordinance 29-2015; stating that the Ordinance be declared an emergency. Mr. St. Marie seconded the motion. Roll call:

Yeah: Mr. Adams, Mr. St. Marie, Mr. Harsanje, Sr., Mr. Bittner, Mr. Lewis and Mr. Brown.

Nay: 0

Motion passed.

Mr. Brown made a motion to pass Ordinance #29-15 as amended. Mr. St. Marie seconded the motion. Roll call:

Yea: Mr. Brown, Mr. St. Marie, Mr. Harsanje, Sr. Mr. Bittner, Mr. Lewis and Mr. Adams.

Nay: 0

Motion passed.

At this time Mr. Adams presented the following Ordinance to Council:

ORDINANCE #30-15

An Ordinance amending title 9 (Supplemental regulations) section 1181.04 (c)(2) regarding accessory buildings to regulate height at a maximum of 20 feet; and declaring an emergency.

Mr. Adams made a motion to suspend the three readings of Ordinance #30-15; seconded by Mr. Lewis. Roll call:

Yea: Mr. Adams, Mr. Lewis, Mr. Brown, Mr. St. Marie,

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Mr. Bittner and Mr. Harsanje, Sr.

Nay: 0

Motion passed.

Mr. Adams made a motion to pass Ordinance #30-15 as an emergency; seconded by Mr. Lewis. Roll call:

Yea: Mr. Adams, Mr. Lewis, Mr. Harsanje, Sr., Mr. Bittner, Mr. St. Marie and Mr. Brown.

Nay: 0

Motion passed.

Mr. Adams made a motion to adopt Ordinance #30-15; seconded by Mr. Lewis.

Roll call:

Yea: Mr. Adams, Mr. Lewis, Mr. Harsanje, Sr., Mr. Bittner, Mr. St. Marie and Mr. Brown.

At this time Mr. St. Marie presented the following Ordinance to Council:

ORDINANCE #31-15

An Ordinance adjusting and redistributing the payment of the Village Administrator salary and benefits among various Village funds, and declaring an emergency.

Mr. St. Marie made a motion to suspend the three readings of Ordinance #31-15; Mr. Adams seconded the motion.

Yea: Mr. St. Marie, Mr. Adams, Mr. Brown, Mr. Lewis, Mr. Bittner and Mr. Harsanje, Sr.

Nay: 0

Motion passed.

Mr. St. Marie made a motion to pass Ordinance #31-15 as an emergency; seconded by Mr. Adams. Roll call:

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Yea: Mr. St. Marie, Mr. Adams, Mr. Harsanje, Sr., Mr. Bittner, Mr. Lewis and Mr. Brown.

Nay: 0

Motion passed.

Mr. St. Marie made a motion to adopt Ordinance #31-15; seconded by Mr. Adams.

Roll call:

Yea: Mr. St. Marie, Mr. Adams, Mr. Brown, Mr. Lewis, Mr. Bittner and Mr. Harsanje, Sr.

At this time Mr. Lewis presented the following Ordinance to Council:

ORDINANCE #32-15

An Ordinance adjusting and redistributing the payment of the Fiscal Officer salary and benefits among various Village funds; and declaring an emergency.

Mr. Lewis made a motion to suspend the three readings of Ordinance #32-15; seconded by Mr. St. Marie. Roll call:

Yea: Mr. Lewis, Mr. St. Marie, Mr. Harsanje, Sr., Mr. Bittner, Mr. Brown and Mr. Adams.

Nay: 0

Motion passed.

Mr. Lewis made a motion to pass Ordinance #32-15 as an emergency; seconded by Mr. St. Marie. Roll call:

Yea: Mr. Lewis, Mr. St. Marie, Mr. Harsanje, Sr., Mr. Bittner, Mr. Brown and Mr. Adams.

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Mr. Lewis made a motion to adopt Ordinance #32-15; seconded by Mr. St. Marie. Roll call:

Yea: Mr. Lewis, Mr. St. Marie, Mr. Brown, Mr. Harsanje, Sr., Mr. Bittner and Mr. Adams.

At this time Mr. Bittner presented the following Ordinance to Council:

ORDINANCE #33-15

An Ordinance amending section 5.04 of the Personnel Policy and Procedure Manual regarding Holiday Pay; and declaring an emergency.

Mr. Bittner made a motion to suspend the three readings of Ordinance #33-15; seconded by Mr. Brown. Roll call:

Yea: Mr. Bittner, Mr. Brown, Mr. Adams, Mr. Lewis, Mr. St. Marie and Mr. Harsanje, Sr.

Nay: 0

Motion carried.

Mr. Bittner made a motion to pass Ordinance #33-15 as an emergency; seconded by Mr. Brown. Roll call:

Yea: Mr. Bittner, Mr. Brown, Mr. Harsanje, Sr., Mr. Adams, Mr. St. Marie and Mr. Lewis.

Nay: 0

Motion passed.

Mr. Bittner made a motion to adopt Ordinance #33-15; seconded by Mr. Brown. Roll call:

Yea: Mr. Bittner, Mr. Brown, Mr. Lewis, Mr. St. Marie, Mr. Adams and Mr. Harsanje., Sr.

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Nay: 0
Motion passed.

At this time Mr. Adams presented the following Ordinance to Council:

ORDINANCE #34-15

An Ordinance distributing the cost of Village audits among various funds; and declaring an emergency.

Mr. Adams made a motion to suspend the three readings of Ordinance #34-15; seconded by Mr. Bittner. Roll call:

Yea: Mr. Adams, Mr. Bittner, Mr. Brown, Mr. Lewis,
Mr. St. Marie and Mr. Harsanje, Sr.

Nay: 0
Motion carried.

Mr. Adams made a motion to pass Ordinance #34-15 as an emergency; seconded by Mr. Lewis. Roll call:

Yea: Mr. Adams, Mr. Lewis, Mr. St. Marie, Mr. Brown, Mr. Bittner and Mr. Harsanje, Sr.

Yea: 0
Motion carried.

Mr. Adams made a motion to adopt Ordinance #34-15; seconded by Mr. Lewis. Roll call:

Yea: Mr. Adams, Mr. Lewis, Mr. Brown, Mr. Bittner, Mr. St. Marie and Mr. Harsanje, Sr.

Nay: 0
Motion carried.

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At this time Mr. Brown presented the following Ordinance to Council:

ORDINANCE #35-15

An Ordinance amending section 4.03 of the Personnel Policy and Procedure Manual creating direct deposit for all employee compensation and declaring an emergency.

Mr. Brown made a motion to suspend the three readings of Ordinance #35-15; seconded by Mr. Adams. Roll call:

Yea: Mr. Brown, Mr. Adams, Mr. Harsanje, Sr., Mr. Bittner, Mr. St. Marie and Mr. Lewis.

Nay: 0

Motion carried.

Mr. Brown made a motion to pass Ordinance #35-15 as an emergency; seconded by Mr. Adams. Roll call:

Yea: Mr. Brown, Mr. Adams, Mr. Lewis, Mr. St. Marie, Mr. Bittner and Mr. Harsanje, Sr.

Nay: 0

Motion passed.

Mr. Brown made a motion to adopt Ordinance #35-15; seconded by Mr. Adams. Roll call:

Yea: Mr. Brown, Mr. Adams, Mr. Harsanje, Sr., Mr. Bittner, Mr. St. Marie and Mr. Lewis.

Nay: 0

Motion passed.

With no further business of the Village, Mr. Adams made a motion to adjourn the meeting; seconded by Mr. Bittner. Roll call:

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Yea: Mr. Adams, Mr. Bittner, Mr.
Harsanje, Sr., Mr. St. Marie, Mr. Lewis and
Mr. Brown.

Nay: 0

Motion passed.

Meeting adjourned at 8:15 pm.

An audio CD of this meeting is available
upon request.

ATTEST: *John A. Santos* SIGNED: *[Signature]*
Fiscal Officer Mayor

Approved: 12-21-15