

# RECORD OF PROCEEDINGS

## April 5, 2021 REGULAR MEETING

- Mayor Thomas Bergman called the meeting to order at 7:00 p.m. and asked all to stand for the Pledge of Allegiance to the Flag.
- Mayor Bergman asked for the roll call:
- Council members in attendance included, Mr. McPherson, Mr. St. Marie, Mrs. Huston, Mr. Huston, Mr. Diebert, and Mr. Lewis.

Also, in attendance, was the Village Administrator Kevin Gladden and Police Chief Matt Herrig.

- Approval of the minutes from the Regular Council meeting on March 15, 2021 and the Special Council Meeting on March 29<sup>th</sup> will be done at the next scheduled Council meeting on April 19, 2021.

ENGINEERS REPORT – Mr. Hertzfeld – report attached

ADMINISTRATORS REPORT – Mr. Gladden – report attached

- Mr. Gladden reported the paving project /9<sup>th</sup> Street ramps bids were moved to a week later so that both the 9<sup>th</sup> St. Pump Station and Paving project bids will be opened on the same day.
- Mr. Gladden informed Council that Solicitor Ballenger was not present due to illness. Mr. Gladden spoke to Ernest Cottrell Jr. to see if he would be available to step in and help out temporarily.
- Mr. Gladden asked for a motion to appoint Solicitor Ernest Cottrell Jr. as temporary Solicitor for the Village of Genoa.

Mr. Diebert made a motion to appoint Mr. Ernest Cottrell Jr. as Temporary Solicitor for the Village of Genoa; seconded by Mr. Huston. Roll call:

**Yeah:** Mr. Diebert, Mr. Huston, Mr. McPherson, Mr. St. Marie, Mr. Lewis, and Mrs. Huston.

**Nay:**

**Abstained:**

- Mr. Gladden stated the Digger Truck is in need of repair and the repair cost is going to be \$18,000 and, being the truck is 1982 telephone truck he feels the repair costs are not an option for the Village.
- Mr. Gladden located a 2012 Altec Commander Digger Derek truck, and in talking with the Fiscal Officer they have budgeted in the Capital Improvement Fund enough money to lease the truck at a cost of \$79,000.
- Mr. Gladden asked for a motion to purchase the 2012 Altec Commander Digger Derek truck.

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Mr. McPherson made a motion to purchase the Digger Derek truck at \$79,000; seconded by Mr. Diebert.

Roll call:

**Yeah:** Mr. McPherson, Mr. Diebert, Mr. Huston, Mr. St. Marie, Mr. Lewis, and Mrs. Huston.

**Nay:**

**Abstained:**

- Public Works crews have been working in the Park putting in the stone path to the bath house, setting a catch basin, and will install fencing once it arrives.
- Mr. Gladden mentioned that all Council members received a user agreement for the tablets provided to them which needs signed and returned to the Administration Office.
- Filters for Lagoon system were started up and there is flow to the building. The basic filters are operating well though the project is not complete with work to do on metering and clean up.

## FISCAL OFFICERS REPORT – Ms. Huston

- Mr. Huston reported that Ms. VanNest paid invoices on 3/16/2021 in the amount of \$175,688.06, \$28,537.57 on 3/26/2021 and \$4,548.37 on 3/31/2021. Payroll and Withholding Taxes of \$36,799.46 were paid on 3/26/2021.
- The Council, Mayor, and Village Administrator were provided the, February 2021 financial statements and reports, consisting of Bank Reconciliation, Year to date Fund Summary, Year to date Revenue Summary, Year to date Appropriation Status, and bank statements from Genoa Bank, Huntington Bank, Premier Bank, and Star Ohio Bank.
- Mr. Huston informed Council that Ms. VanNest had submitted the annual final Covid expense report on 3/30/2021 showing that all the Covid money had been spent.

## MAYORS REPORT – Mayor Bergman

- Mayor Bergman spoke with the Elmore Mayor Rick Clare and the Ottawa County Commissioners on a date for the Ribbon Cutting Ceremony on the North Coast Inland Trail. The date for the ribbon cutting will be April 22, 2021 at 6:00 for Elmore and 6:45 for Genoa.
- Mayor Bergman stated the American Rescue Plan Act from the Federal Government may not be provided for Townships and we may not hear for 60 days if this will change.
- Chamber of Commerce held meeting at Town Hall and all went well.
- Park crews are doing a wonderful job on Park improvements, hopefully we will have stone around the quarry next year.

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- Homecoming Committee has decided to reschedule Homecoming 2021 for June 24-26. The Health Dept. is optimistic those who wish to have a vaccine will be able to do so by then.
- Mayor Bergman reported he spoke to the staff at the Administration building about those who are willing to receive the Vaccine and the last one is scheduled for the end of April and he would like to reopen in a limited fashion on May 1, 2021.
- Mr. Gladden stated he did not feel a May 1<sup>st</sup> opening would be possible as Ottawa County Court House and the Senior Center are not looking for a May 1<sup>st</sup> opening with the situation in Ottawa County at this time.
- Mayor Bergman stated they interviewed applicants for the full time Officers position and he could not recommend anyone at this time as Council has to review a physical, but he hopes to appoint Cody Jones as a full time Officer.

ECONOMIC DEVELOPMENT - Mrs. Huston – no report

STREETS AND SIDEWALKS - Mr. McPherson – no report

UTILITIES - Mr. Diebert – no report

FINANCE AND INSURANCE - Mr. Huston – no report

- Mr. Huston scheduled a joint Finance/Safety meeting for April 19<sup>th</sup> at 6:00 pm.

SAFETY - Mr. St. Marie

- Mr. St. Marie stated they held a Safety Meeting prior to the Council meeting and discussed operation of low speed, under speed utility vehicles which will be discussed further at the next meeting.

AD HOC - Mr. Lewis – no report

PERSONNEL – Mr. St. Marie – no report

PARKS & PUBLIC GROUNDS – Mrs. Huston

- Mrs. Huston stated Parks and Grounds Committee met prior to the Council meeting to discuss purchasing park benches and she will be looking into it further.
- Mrs. Huston scheduled another Parks and Public Grounds meeting on April 19<sup>th</sup> at 5:45 pm.

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## ORDINANCE 19-2021

AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN FUNDS IN THE STATE HIGHWAY FUND (2021); SPECIAL PROJECTS FUND (2401); AND UTILITY DEPOSIT FUND (5901), IN AN AMOUNT NO LONGER NEEDED FOR THE PURPOSES FOR WHICH THEY WERE ESTABLISHED; ONE HUNDRED (100%) PERCENT TO THE STREET OPERATING FUND (2011) OF THE VILLAGE OF GENOA AS PER OHIO REVISED CODE §5705.14(D), TO AUTHORIZE AND DIRECT THE FINANCE DIRECTOR TO FILE A PETITION IN THE OTTAWA COUNTY COURT OF COMMON PLEAS FOR APPROVAL OF SAID TRANSFER; AND DECLARING AN EMERGENCY.

Mr. Huston made a motion that the rule requiring three distinct readings for Ordinance #19-2021 be dispensed with in accordance with O.R.C. section 731.17; seconded by Mr. McPherson. Roll call:

**Yeah:** Mr. Huston, Mr. McPherson, Mr. Diebert, Mr. St. Marie, Mr. Lewis, and Mrs. Huston.

**Nay:**

**Abstained:**

Mr. Huston made a motion to pass Ordinance #19-2021 as an emergency measure according to ORC section 731.30; seconded by Mr. McPherson. Roll call:

**Yeah:** Mr. Huston, Mr. McPherson, Mr. Diebert, Mr. St. Marie, Mr. Lewis, and Mrs. Huston.

**Nay:**

**Abstained:**

Mr. Huston made a motion to adopt as amended Ordinance #19-2021; seconded by Mr. McPherson. Roll call:

**Yeah:** Mr. Huston, Mr. McPherson, Mr. St. Marie, Mrs. Huston, Mr. Lewis, and Mr. Diebert.

**Nay:**

**Abstained:**

Mayor Bergman asked if anyone wished to address Council.

Mr. McPherson made a motion to adjourn the meeting; seconded by Mr. Diebert

**Yeah:** Mr. McPherson, Mr. Diebert, Mr. Huston, Mr. St. Marie, Mrs. Huston and Mr. Lewis.

**Nay:**

**Abstained:**

Mayor Bergman asked if any wish to address Council.

Mr. & Mrs. George Bankertz of 1517 Buckeye Street, Mr. and Mrs. Robert Kiss of 1508 Buckeye Street, and Mrs. Jane Lopez of 1513 Buckeye Street all stated they were opposed to the annexation along St. Rt. 51.

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Mayor Bergman explained the type of annexation was a Type 2 Expedited Annexation and he explained Council could only object to the Annexation on procedural grounds, meaning if 100 % of the area wants to annex, the Trustees and technically even the Council cannot stop it. It does not mean development is happening right away. It is simply saying this field is going to be a part of the Village of Genoa, at no point did Council approve a subdivision or anything like that. Everything will still need to go through the formal Planning Commission which could take months to years with many public notices or may never happen. If there is a misconception Annexation means residential development that's not the case here.

The question was asked, so what you are saying if its not going to be residential, is it going to be commercial, or low-income housing?

Mayor Bergman stated, 500 Ft. along St. Rt. 51 is going to be Highway Commercial, which will probably be a Drug Mart here in the near future, everything behind that the Village Ordinance excepts as R1.

Why do we need another Drug Store when we have Rite Aid and an empty Family Dollar?

The Mayor responded, because it's America and they can.

Is it a done deal that we are going to get a Drug Mart?

Mayor Bergman responded, I believe its 99.99 % I can't speak for the developer but basically what happened was they wanted to put a Drug Mart in next to Gordon Lumber and wanted to annex in the 66 acers to get around the ODOT regulation and that's their intention. The Mayor agreed with concerns that Drug Mart could negatively impact existing businesses like Rite Aid or Millers, and added that there is very little regulation preventing development from happening in Clay Township and simply using sewer/water infrastructure maintained by the Village. In that scenario the businesses would still come and still bring any hypothetical damage to existing businesses. At least now, Genoa would receive income and property tax revenue from potential commercial development.

Why wasn't there more advertisement about this?

Mayor Bergman stated, by law the annexation petitioners only notify the adjacent properties. This annexation is just saying the farm field is now in the Village. Any residential development proposal would have more publicity and go through rigorous Planning Commission review, but no residential development has been proposed. The Mayor stated that annexation should be viewed positively because now the Village has authority over any potential residential development instead of the Clay Township Trustees.

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The next Regular Council Meeting will be Monday April 19, 2021 at 7:00 pm.

With no further business of the Council, Meeting adjourned at 8:00 pm.

Audio recording available.

ATTEST: Julia Taylor SIGNED: Thomas E Bagin  
Fiscal Officer Mayor

APPROVED: 4-19-2021  
Will Coleman