

# RECORD OF PROCEEDINGS

Minutes of Regular Council

Meeting

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National Graphics Corp., Cols., O. Form No. 1097

Held Council Chambers 7:30 P.M. May 21 1984

Mayor Everett opened the meeting with the Pledge to the Flag. Clerk-Treas., Miriam Huston, called the Roll: Mike Despones, Present; John Harbal, Absent; Gladys Donley, Present; Bill Peloquin, Present; John Wyse, Present; Barry Morrison, Absent. Four (4) Members present, two (2) Members absent.

Councilman Despones requested that the minutes of the previous meeting be amended in reference to taking applications for the Utility Dept. to read temporary employment instead of part-time employment. Gladys Donley moved to approve the minutes of the previous meeting as amended, seconded by Mike Despones. Roll call vote: Barry Morrison, Absent; John Wyse, Yea; Bill Peloquin, Yea; Gladys Donley, Yea; John Harbal, Absent; Mike Despones, Yea. Four (4) Yeas, no (0) Nays, two (2) Absent. The minutes of the previous meeting were approved as amended.

After reviewing the bills presented to Council, Mike Despones moved to pay the approved bills, seconded by Gladys Donley. Roll call vote: Bill Peloquin, Yea; John Wyse, Yea; Barry Morrison, Absent; Mike Despones, Yea; John Harbal, Absent; Gladys Donley, Yea. Four (4) Yeas, no (0) Nays, two (2) Absent. The motion passed.

#### Committee Reports:

Police & Safety - There will be a meeting scheduled for next week.

Sewer - The catch basin on the John Gose property has been installed.

At the Sewer Committee Meeting held after the last Council Meeting, the sewer situation in the 10th., 11th., and Washington Streets area was discussed. Also, Packer Creek was discussed. Chairman, Bill Peloquin, hopes to have another meeting this week.

Street - John Wyse, Chairman, explained that there was a little problem with brush pick-up. Jerry Neff will enlarge on this problem when the department heads give their reports. John also requested a meeting with the Chairman of the Finance Committee and the Clerk-Treasurer, to discuss the financial aspect of fixing and improving streets in the village.

Utilities - Mike Despones, Chairman, explained to Council that he and Bill Bauer, Utilities Supt., had reviewed the applications for the position open in the Utilities Dept., and had narrowed the applicants down to one person that they felt would be a good choice for the position. Gladys Donley explained that she felt that other Council Members should have a say in the matter of hiring. Mike explained that this is the procedure used in the past and this is the reason that the matter was handled in this matter. Gladys Donley moved to table a decision on whom to hire, seconded by Bill Peloquin. Roll call vote: John Wyse, Yea; Bill Peloquin, Yea; Gladys Donley, Yea; Mike Despones, Nay; John Harbal, Absent; Barry Morrison, Absent. Three (3) Yeas, one (1) Nay, two (2) Absent. The matter was tabled. Council then discussed the matter of the proper procedure

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in hiring a new employee to work for the village. It was decided that on this matter and in the future the applications would be turned over to the proper committee and review<sup>ed</sup> by this committee and the head of the department where the employment is to be made. There was discussion as to whether said committee should recommend one applicant or submit several applications for Council's consideration. Mike Despones moved that the recommendation should come from the proper committee and then presented to Council for consideration, in this case a special meeting will be called to settle this matter as the need for immediate employment in the Utilities Department is very great at the present time with the Supt. off sick. John Wyse seconded the motion. Roll call vote: Barry Morrison, Absent; John Wyse, Yea; Bill Peloquin, Yea; Gladys Donley, Nay; John Harbal, Absent; Mike Despones, Yea. Three (3) Yeas, one (1) Nay; two (2) Absent. The motion passed.

Zoning - There will be a Zoning Committee Meeting on Wednesday 23, 1984.

Department Heads -

Street - Jerry Neff, Street Commissioner, explained to Council that he has received the mosquito fogger, and it is a dandy. He also discussed with Council that the Street Crew has worked over two weeks on picking up brush and they could start over again this week. It seems to him that they are spending an awful lot of time on this project. Jerry would like to have a committee meeting to discuss this problem and several other things. A meeting was set up for May 29, 1984, at 7:30 P.M.

Police - Chief Truman explained to Council that no one showed up at the dept.'s open house last week and he was very disappointed at this fact. He also discussed with Council the fact that the police cruiser is in need of brakes. He drove it to Port Clinton and Fremont today and they are very bad. He discussed the cost with the Clerk-Treasurer and there is no money to pay for repairs at this time. Also, he has not been notified as to when to expect shipment of the new cruiser. The cost of repairs is approximately \$300.00.

Council discussed as to whether to fix the cruiser or let it set. (Councilman Morrison arrived at 8:25). If we are going to sell the cruiser repairs will have to be done. Also until something is done about generating money into the General Fund, the money is not available at this time to fix the brakes or other repairs it needs to keep it on the road. Discussion on how much money would be put into this vehicle will be part of the agenda at the proposed Safety Meeting.

Ordinance No. 14-84, AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS AND AMENDING ORDINANCE NO. 6-84, AND DECLARING AN EMERGENCY., was presented to Council. John Wyse moved to dispense with the rules requiring the ordinance to be read at three different days, seconded by Mike Despones. Roll call vote: Barry Morrison, Yea; John Wyse, Yea; Bill Peloquin, Yea; Gladys Donley, Yea; John Harbal, Absent; Mike Despones, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed.

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The ordinance was then read for the first and second times by title only. The ordinance was then read for the third time in full. Bill Peloquin moved to pass Ordinance No. 14-84 as an emergency measure, seconded by Gladys Donley. Roll call vote: John Wyse, Yea; John Harbal, Absent; Gladys Donley, Yea; Mike Despones, Yea; Barry Morrison, Yea; Bill Peloquin, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed. Bill Peloquin moved to pass Ordinance No 14-84, seconded by Gladys Donley. Roll call vote: Barry Morrison, Yea; John Wyse, Yea; Bill Peloquin, Yea; Gladys Donley, Yea; John Harbal, Absent; Mike Despones, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed.

Mayor Everett gave his report to Council. He has chosen three citizens to recommend to Council as the Board of Public Affairs. Two of the citizens have given him a definite answer and he was not able to contact the third but he feels sure that this person will be willing to serve. The citizens are as follows: Larry Barnes, James Hodulik, and Sylvia Essman. Bill Peloquin moved to accept the Mayor's recommendation of these three citizens to serve on the Board of Public Affairs. Mike Despones seconded the motion. Roll call vote: Mike Despones, Yea; John Harbal, Absent; Gladys Donley, Nay; Bill Peloquin, Yea; John Wyse, Yea; Barry Morrison, Yea. Four (4) Yeas, one (1) Nay, one (1) Absent. The motion passed.

The mayor also mentioned that he would like to discuss the butter and cheese distribution with Gladys Donley.

Gladys Donley presented Ordinance No. 12-84, AN ORDINANCE AUTHORIZING CONTRACT WITH ATTORNEY LOUIS P. WARGO FOR SERVICES AS PROSECUTING ATTORNEY ON BEHALF OF THE VILLAGE OF GENOA, for the third reading. John Wyse moved to pass Ordinance No. 12-84, seconded by Gladys Donley. Roll call vote: John Wyse, Yea; Mike Despones, Yea; John Harbal, Absent; Bill Peloquin, Yea; Gladys Donley, Yea; Barry Morrison, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed.

Mike Despones presented Ordinance No. 15-84, AN ORDINANCE AMENDING ORDINANCE APPROPRIATION NO 6-84, PASSED MARCH 6, 1984, AND DECLARING AN EMERGENCY. Mike Despones moved that the rule requiring ordinances to be fully and distinctly read on three different days be dispensed with, in accordance with Section 731.17, Ohio Revised Code. Bill Peloquin seconded the motion. Roll call vote: John Wyse, Yea; John Harbal, Absent; Mike Despones, Yea; Bill Peloquin, Yea; Gladys Donley, Yea; Barry Morrison, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed. The ordinance was then read for the first and second times by title only. The ordinance was then read for the third time in full. Mike Despones moved that Ordinance No. 15-84 be passed as an emergency measure, in accordance with Section 731.30, Ohio Revised Code. Bill Peloquin seconded the motion. Roll call vote: Mike Despones, Yea; Bill Peloquin, Yea; Barry Morrison, Yea; Gladys Donley, Yea; John Wyse, Yea; John Harbal, Absent.

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Five (5) Yeas, no (0) Nays, one (1) Absent, The motion passed. Mike Despones moved to passed Ordinance 15-84, seconded by Bill Peloquin. Roll call vote: John Harbal, Absent; John Wyse, Yea; Bill Peloquin, Yea; Gladys Donley, Yea; Barry Morrison, Yea; Mike Despones, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed.

Mike Despones presented Ordinance No. 16-84, AN ORDINANCE AMENDING CODIFIED ORDINANCE NO 173.14(a) AND ORDINANCE NO. 37-65, PASSED DECEMBER 20, 1965, AND ORDINANCE NO. 2-68, PASSED MAY 7, 1968, TO THE EXTENT THAT SAID INCOME TAX REVENUES REPRESENT THE ONE PERCENT ENACTED BY ACTION OF COUNCIL; CHANGING THE ALLOCATION OF FUNDS OF THE VILLAGE OF GENOA PAYROLL INCOME TAX; AND DECLARING AN EMERGENCY. Bill Peloquin moved to amend Ordinance 16-84 to read - placing  $\frac{1}{4}$  of the 1% into Capital Improvement and  $\frac{3}{4}$  of the 1% into the General Fund. The motion was seconded by Mike Despones. Roll call vote: Barry Morrison, Yea; Mike Despones, Yea; Bill Peloquin, Yea; Gladys Donley, Yea; John Wyse, Yea; John Harbal, Absent. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed. Mike Despones moved that the rule requiring ordinances to be fully and distinctly read on three different days be dispensed with, in accordance with Section 731.17, Ohio Revised Code. Bill Peloquin seconded the motion. Roll call vote: John Wyse, Yea; Barry Morrison, Yea; Mike Despones, Yea; John Harbal, Absent; Gladys Donley, Yea; Bill Peloquin, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent, the motion passed. The ordinance was then read for the first and second readings by title only. The ordinance was the read for the third time in full. Mike Despones moved to pass Ordinance No. 16-84 as an emergency, seconded by Bill Peloquin. Roll call vote: John Wyse, Yea; John Harbal, Absent; Gladys Donley, Yea; Barry Morrison, Yea; Bill Peloquin, Yea; Mike Despones, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed. Mike Despones moved to pass Ordinance No. 16-84 as amended, seconded by Bill Peloquin. Roll call vote: Mike Despones, Yea; Barry Morrison, Yea; Bill Peloquin, Yea; John Wyse, Yea; Gladys Donley, Yea; John Harbal, Absent. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed.

Village Solicitor, Bob Pollex, discussed briefly with Council the situation with the Cherry Street Cut-thru. The village will have to pay and we can obtain the money from the Transportation Fund and possibly from McClellan Management.

Mike Despones presented Ordinance No. 13-84 AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO A WATER AGREEMENT WITH OTTAWA COUNTY FOR THE TRANSFER OF THE WATER SYSTEM FROM THE COUNTY WATER DISTRICT TO THE VILLAGE OF GENOA, AND AMENDING ORDINANCE NO. 20-83, PASSED JUNE 6, 1983., for the third reading. Because all Council Members have had this Ordinance in their possession for quite some time and have had ample time to review and go over it and because it is such a lengthy ordinance, Councilman Despones asked if Council was in agreement that the ordinance not be read in full. All of the Council Members present were in agreement with Mike's suggestion.

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Mike Despones read Ordinance No. 13-84 by title only. Mike moved to pass Ordinance No. 13-84, seconded by Gladys Donley. Roll call vote: John Wyse, Yea; John Harbal, Absent; Gladys Donley, Yea; Barry Morrison, Yea; Mike Despones, Yea; Bill Peloquin, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed.

Pat Harbal, Income Tax Commissioner, was present at Council to request that the time given her department for part-time help be extended until the third of August. Gladys Donley moved to permit Rosemary Stetler to work part-time in the Income Tax Department for a period of forty (40) hours per pay period until the 3rd. of August, 1984. The motion was seconded by Bill Peloquin. After much discussion, the Clerk called the Roll: Mike Despones, Nay; John Harbal, Absent; Gladys Donley, Yea; Bill Peloquin, Yea; John Wyse, Nay; Barry Morrison, Yea. Three (3) Yeas, two (2) Nays, one (1) Absent. The motion passed.

Mike Despones presented Ordinance No. 17-84, AN ORDINANCE FIXING AND REGULATING THE PRICE THAT MAY BE CHARGED BY COLUMBIA GAS OF OHIO, INC., ITS SUCCESSORS OR ASSIGNS, FOR GAS TO THE VILLAGE OF GENOA, OHIO, AND TO ITS INHABITANTS, FOR THE PERIOD FROM AND AFTER THE EFFECTIVE DATE OF THIS ORDINANCE AND UNTIL MARCH 5, 1986. Barry Morrison moved to waive the three readings at three different times, seconded by Mike Despones. Roll call vote: John Wyse, Yea; John Harbal, Absent, Mike Despones, Yea; Barry Morrison, Yea; Bill Peloquin, Yea; Gladys Donley, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent, the motion passed. Bill Peloquin moved to pass Ordinance No. 17-84, seconded by Mike Despones. Roll call vote: Bill Peloquin, Yea; John Wyse, Yea; Barry Morrison, Yea; Gladys Donley, Yea; John Harbal, Absent; Mike Despones, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed.

Mike Despones moved to go into Executive Session to discuss the law suit against the village, seconded by Bill Peloquin. Roll call vote: John Harbal, Absent; John Wyse, Yea; Gladys Donley, Yea; Bill Peloquin, Yea; Mike Despones, Yea; Barry Morrison, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed. Council adjourned to executive session.

Council resumed regular session. Bill Peloquin moved to authorize the Clerk-Treasurer to direct an invoice to John Papcun, Ottawa County Engineer, in the amount of \$17,000.00, to be taken from the Transportation Fund, to be directed to M.C Hesselbart. The motion was seconded by Barry Morrison. Roll call vote: John Harbal, Absent; John Wyse, Yea; Barry Morrison, Yea; Bill Peloquin, Yea; Mike Despones, Yea; Gladys Donley, Yea. Five (5) Yeas, no (0) Nays, one (1) Absent. The motion passed. The Village Solicitor will pursue obtaining some of the funding for this from the nursing home.

Bill Peloquin moved to adjourn the meeting, seconded by Mike Despones. The meeting was adjourned.

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Thomas R. Everett

Mayor

Miriam R. Houston

Clerk-Treasurer

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