

RECORD OF PROCEEDINGS

Minutes of

PUBLIC HEARING

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held

COUNCIL CHAMBERS DECEMBER 21, 19 98

MAYOR SKILLITER CALLED THE PUBLIC HEARING TO ORDER AT 7:05 P.M.
PURPOSE OF THE HEARING WAS FOR AN ORDINANCE REPEALING ORDINANCES
78-92, 35-97 AND 51-97 OF THE VILLAGE OF GENOA CODIFIED
ORDINANCES AND ENACTING DESIGN REVIEW REGULATIONS FOR THE VILLAGE
OF GENOA, OTTAWA COUNTY, OHIO, AND DECLARING AN EMERGENCY.

NO ONE FROM THE PUBLIC ATTENDED AND THE MEETING WAS CLOSED AT
7:25 P.M.

Russell Motter
CLERK/TREASURER

Robert T Skilliter
MAYOR

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GENOA VILLAGE COUNCIL

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MAYOR SKILLITER CALLED THE MEETING TO ORDER AT 7:30 P.M. WITH THE PLEDGE TO THE FLAG. CLERK/TREASURER MOTTER CALLED THE ROLL: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK. ALSO PRESENT WAS MRS. SMITH, VILLAGE SOLICITOR AND MR. ADAMS, VILLAGE ADMINISTRATOR.

APPROVAL OF THE MINUTES

NOVEMBER 16th MEETING

UNDER STREETS & SIDEWALKS CORRECTION OF NOVEMBER 2nd MEETING ON THE 3rd LINE AFTER "ADMINISTRATOR" INSERT "BE DIRECTED TO REMOVE GRAVEL FROM THE RIGHT OF WAY AFTER PAVING HAS BEEN COMPLETED IN FUTURE YEARS".

UNDER NOVEMBER 7th MEETING

UNDER ZONING BOARD

IT SHOULD BE NOTED THAT THERE ARE STILL QUESTIONS REGARDING THE FENCE AT THE MIMS PROPERTY.

UNDER MAYOR'S REPORT

ON THE 2nd LINE "READ" SHOULD BE CHANGED TO "PRESENTED".
ON THE 2nd LINE AFTER "ORDER" INSERT "PROHIBITING THE CLERK/TREASURER FROM PRESENTING IT TO COUNCIL".

UNDER STREETS & SIDEWALKS

ON THE 5th LINE REMOVE "THEY" AND INSERT "MEMBERS OF COUNCIL".

UNDER ORDINANCE 80-98

ON THE 3rd PAGE ON THE 1st AND 2nd LINE DELETE "AND DECLARING AN EMERGENCY".

UNDER ORDINANCE 81-98

DELETE "READ" AND INSERT "PRESENTED".

ON PAGE FOUR ON THE 2nd LINE DELETE "MRS. McLEAR".

MR. BOWER MOVED, SECOND BY MR. BITTNER TO APPROVE THE MINUTES AS AMENDED. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

ENGINEERS REPORT NO REPORT

ADMINISTRATOR'S REPORT

MR. ADAMS REPORTED THAT HE HAD RECEIVED A LETTER FROM MR. GWYN REGARDING THE REFINANCING OF THE GENOA CARE CENTER AND ORDINANCE 88-98.

MR. FINTEL QUESTIONED ITEM 6 OF MR. ADAMS REPORT. MR. ADAMS ADVISED THAT A LETTER WOULD BE GOING OUT TO CUSTOMERS ADVISING THEM OF THE RATE INCREASE IN ELECTRIC RATES. A COPY OF MR. ADAMS' REPORT IS ON FILE IN THE CLERK/TREASURER'S OFFICE.

CLERK/TREASURER'S REPORT

MR. MOTTER PRESENTED INVOICES IN THE AMOUNT OF \$249,747.35 FOR PAYMENT. MR. BOWER MOVED, SECOND BY MR. AVERY TO PAY THE INVOICES. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

RECREATION ADVISORY BOARD

IT WAS REPORTED THAT THERE WAS SOME VANDALISM AT THE PARK. THE CONCESSION STAND WAS BROKEN INTO AND SOME WINDOWS HAD BEEN BROKEN.

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ZONING BOARD

MR. AVERY REPORTED THAT THE ZONING BOARD WOULD NOT MEET IN DECEMBER.

MAYOR'S REPORT

MAYOR SKILLITER REPORTED THAT TMACOG GENERAL ASSEMBLY MEETING WOULD BE HELD ON JANUARY 28, 1999 AND THAT ED REITER WOULD BE THE SPEAKER.

ANYONE WISHING TO ADDRESS COUNCIL

MR. DAVID STONE PASSED OUT A FORM TO BE SIGNED FOR POWER OF ATTORNEY FOR MR. RONALD COON.

MR. STONE NOTED THAT HE WAS GIVING COUNCIL ONE LAST CHANCE TO SIGN BEFORE HE WENT TO THE STATE INSURANCE BOARD

COMMITTEE REPORTS

STREETS & SIDEWALKS

MRS. SLOTNICK REPORTED THAT THE TREE COMMISSION WILL NOT MEET IN JANUARY.

UTILITIES NO REPORT

FINANCE NO REPORT

SAFETY NO REPORT

ADHOC NO REPORT

ECONOMIC DEVELOPMENT

MR. FINTEL SUGGESTED THAT AT SOME TIME IN THE FUTURE AN ENVIRONMENTAL IMPACT STUDY MIGHT BE A GOOD THING TO DO. MR. FINTEL ALSO NOTED THAT HE WAS STILL LOOKING INTO THE WEB SITE.

INSURANCE NO REPORT

ORDINANCES/RESOLUTIONS/MOTIONS

MR. BOWER PRESENTED THE 3rd READING OF ORDINANCE 74-98 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, 1999, AND DECLARING AN EMERGENCY. MR. BOWER MOVED SECOND BY MR. FINTEL 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 CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED. MR. BOWER MOVED, SECOND BY MR. FINTEL TO PASS ORDINANCE 75-98 IN ACCORDANCE WITH ORC 731.30. NO DISCUSSION. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

MR. FINTEL PRESENTED THE 3rd READING OF ORDINANCE 75-98 AN ORDINANCE INCREASING THE ELECTRIC RATES FOR THE VILLAGE OF GENOA, AND DECLARING AN EMERGENCY. MR. FINTEL MOVED, SECOND BY MR. BOWER THAT THE RULE REQUIRING ORDINANCES TO BE FULLY AND DISTINCTLY READ ON THREE DIFFERENT DAYS BE DISPENSED WITH IN ACCORDANCE ORC 731.17. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED. MR. FINTEL MOVED SECOND BY MR. BOWER TO PASS ORDINANCE 75-98 IN ACCORDANCE WITH ORC 731.30. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

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MR. BOWER PRESENTED ORDINANCE 88-98 AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,665,000 ADJUSTABLE RATE DEMAND ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS, SERIES 1999 (GENOA HEALTH CARE CENTER PROJECT) BY THE VILLAGE OF GENOA, OHIO, THE PROCEEDS OF WHICH SHALL BE LOANED TO McCLELLAN MANAGEMENT, INC. TO REFINANCE THE ACQUISITION, CONSTRUCTING, INSTALLATION AND EQUIPPING OF A NURSING HOME FACILITY; AUTHORIZING THE ISSUANCE OF ADDITIONAL BONDS; PROVIDING FOR THE PLEDGE AND ASSIGNMENT OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A LOAN AGREEMENT AND TRUST INDENTURE APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT AND PRELIMINARY AND FINAL OFFICIAL STATEMENT; AUTHORIZING A TAX REGULATORY AGREEMENT AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; AND DECLARING AN EMERGENCY. MR. BOWER MOVED, SECOND BY MRS. McLEAR 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 CALL VOTE: MR. BOWER, MR. FINTEL, MRS. McLEAR, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED. MR. BOWER MOVED, SECOND BY MRS. McLEAR TO PASS ORDINANCE 88-98 IN ACCORDANCE WITH ORC 731.30. THERE WAS A DISCUSSION NOTING THAT THIS WAS BEING DONE FOR THE PURPOSE OF OBTAINING A LOWER INTEREST RATE. ROLL CALL VOTE: MR. BOWER, MR. FINTEL, MRS. McLEAR, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

MR. BOWER PRESENTED ORDINANCE 89-98 AN ORDINANCE AWARDED A BID TO UNITED ROOFING AND SHEET, INC. 7255 PROGRESS STREET, HOLLAND, OHIO 43258, FOR IMPROVEMENTS, AND ROOFING TO THE ADMINISTRATION BUILDING, AND DECLARING AN EMERGENCY. MR. BOWER MOVED, SECOND BY MR. FINTEL THAT THE RULE REQUIRING ORDINANCES TO BE FULLY AND DISTINCTLY READ ON THREE DIFFERENT DAYS BE DISPENSED WITH IN ACCORDANCE ORC 731.17. ROLL CALL VOTE: MR. BOWER, MR. FINTEL, MRS. McLEAR, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED. MR. BOWER MOVED, SECOND BY MR. FINTEL TO PASS ORDINANCE 89-98 IN ACCORDANCE WITH ORC 731.30. NO DISCUSSION. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

MRS. SLOTNICK PRESENTED ORDINANCE 90-98 AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO ADVERTISE FOR BIDS FOR TREE REMOVAL, AND TREE TRIMMING WITHIN THE VILLAGE OF GENOA DURING 1999, AND DECLARING AN EMERGENCY. MRS. SLOTNICK MOVED, SECOND BY MR. FINTEL 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 CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED. MRS. SLOTNICK MOVED, SECOND BY MR. FINTEL TO PASS ORDINANCE 90-98 IN ACCORDANCE WITH ORC 731.30. NO DISCUSSION ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

MRS. SLOTNICK PRESENTED ORDINANCE 91-98 AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF HOT MIX ASPHALT FOR MAINTENANCE OF VILLAGE STREETS AND ALLEYS, AND DECLARING AN EMERGENCY. MRS. SLOTNICK MOVED, SECOND BY MR. FINTEL 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 CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED. MRS. SLOTNICK MOVED, SECOND BY MR. FINTEL TO PASS ORDINANCE 91-98 IN ACCORDANCE WITH ORC 731.30. IT WAS NOTED THAT THIS SHOULD BE FOR THE

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YEAR 1999. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

MR. AVERY PRESENTED ORDINANCE 92-98 AN ORDINANCE ESTABLISHING A NEW CRIMINAL CODE FOR THE VILLAGE OF GENOA, REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY. MR. AVERY MOVED, SECOND BY MRS. SLOTNICK 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 CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED. MR. AVERY MOVED, SECOND BY MRS. SLOTNICK TO PASS ORDINANCE 92-98 IN ACCORDANCE WITH ORC 731.30. THERE WAS A LENGTHY DISCUSSION REGARDING PASSAGE OF THIS WITHOUT HAVING FURTHER INVESTIGATION ON THIS. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL NAYS (6). MOTION FAILED.

MR. FINTEL PRESENTED RESOLUTION 93-98 A RESOLUTION DECLARING IT NECESSARY TO IMPROVE THE AREA BOUNDED BY MAIN STREET FROM THE EAST-WEST ALLEY SOUTH OF 2nd STREET, NORTH TO 3rd STREET; THE NORTH-SOUTH ALLEY BETWEEN MAIN STREET AND WASHINGTON, FROM 2nd STREET NORTH TO 4th STREET; 2nd STREET FROM MAIN TO WASHINGTON STREET, THE NORTH-SOUTH ALLEY BETWEEN MAIN STREET, AND WEST STREET FROM THE ALLEY NORTH OF 2nd STREET TO 4th STREET; 3rd STREET FROM WEST STREET TO THE NORTH-SOUTH ALLEY EAST OF MAIN STREET; WEST STREET FROM 3rd STREET TO THE EAST WEST ALLEY BETWEEN 3rd STREET AND 4th STREET; 5th STREET FROM MAIN STREET TO WASHINGTON STREET; AND FINALLY THE EAST-WEST ALLEY BETWEEN 10th STREET AND 11th STREET FROM WASHINGTON STREET EAST TO IT'S TERMINATION, BY CONSTRUCTING SANITARY SEWER IMPROVEMENTS THERETO, AND DECLARING AN EMERGENCY. MR. FINTEL MOVED, SECOND BY MR. BOWER 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 CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED. MR. FINTEL MOVED, SECOND BY MR. BOWER TO PASS RESOLUTION 93-98 IN ACCORDANCE WITH ORC 731.30. NO DISCUSSION. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

MRS. SLOTNICK PRESENTED RESOLUTION 94-98 A RESOLUTION AUTHORIZING THE VILLAGE OF GENOA TO PARTICIPATE IN OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY. MR. BOWER MOVED, SECOND BY MR. FINTEL THAT THE RULE REQUIRING RESOLUTIONS TO BE FULLY AND DISTINCTLY READ ON THREE DIFFERENT DAYS BE DISPENSED WITH IN ACCORDANCE ORC 731.17. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

MR. BOWER MOVED, SECOND BY MR. FINTEL TO PASS RESOLUTION 94-98 IN ACCORDANCE WITH ORC 731.30. IT WAS NOTED THAT THIS ALLOWS THE VILLAGE TO BUY FROM PARTICIPATING BUSINESSES WITHOUT GOING OUT FOR BIDS. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

MRS. SLOTNICK MOVED, SECOND BY MR. FINTEL TO HAVE AN ORDINANCE BROUGHT IN TO REPEAL ODINANCES 78-92, 35-97, AND 51-97 AND ENACTING DESIGN REVIEW REGULATIONS FOR THE VILLAGE OF GENOA. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

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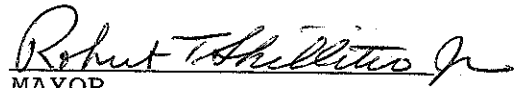
COUNCIL CHAMBERS DECEMBER 21, 19 98

MR. BOWER MOVED, SECOND BY MR. FINTEL TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE CLAY TOWNSHIP TRUSTEES REGARDING THE SHARING OF REAL ESTATE TAXES ON ANNEXED PROPERTY. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED.

MRS. SLOTNICK ASKED IF THE EMPLOYEE HANDBOOK HAS BEEN COMPLETED. MR. ADAMS NOTED THAT IT WAS ALMOST FINISHED.

MR. BOWER MOVED, SECOND BY MR. FINTEL TO ADJOURN. ROLL CALL VOTE: MR. BOWER, MRS. McLEAR, MR. FINTEL, MR. BITTNER, MR. AVERY AND MRS. SLOTNICK ALL YEAS (6). MOTION PASSED AND COUNCIL MEETING WAS ADJOURNED AT 9:30 P.M.


CLERK/TREASURER


MAYOR

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