

RECORD OF PROCEEDINGS
GENOA VILLAGE COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ September 7, 2010 _____ 20_____

Mayor Williams called the meeting to order at 7:35 PM with the Pledge of Allegiance.

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

Mayor had received word that Mr. Adams would not be attending the Council meeting and asked to be excused.

Moved by Mr. Bittner, seconded by Mr. St Marie to excuse Mr. Adams from the Council meeting of September 7, 2010.

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

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

APPROVAL OF MINUTES

Minutes of the August 16, 2010 meeting were presented.

Mr. Lewis stated he had two corrections.

On page 1, Line 4, remove "is." On Page 4, under Anyone Wishing To Address Council, add "not" after "Mayor stated he did".

Moved by Mr. Bittner, seconded by Mr. St Marie to accept the minutes of the August 16, 2010 Council meeting as amended.

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

ENGINEER'S REPORT

Mr. Rich Hertzfeld of Poggemeyer Design Group stated there were a few items:

1. 2009 Curb Ramp Replacement:
Construction is substantially completed. Walk thru was held last week, with the contractor and Mr. Hertzfeld, with a few minor items to be corrected.
2. 2010 Street Resurfacing Program:
Bid opening held on August 26, 2010. Four bids were received with Jennite Company of Toledo as low bidder. Poggemeyer Design Group has not worked with Jennite Company before and is suggesting a "pre-award" meeting with Jennite to discuss their experience and Village expectations in an effort to make sure that we are all on same page before awarding the contract.
3. North Coast Inland Trail Extension:
Poggemeyer Design Group is assisting in the planning.
4. Ohio Public Works Commission, Round 25 Funding Applications:
An application was submitted on September 3, 2010 for Northwest Storm Sewer Phase IV.

Mr. Bittner asked about the shoddy landscaping that H.W. Bergman Inc did on Washington Street and what could be done about that.

Mr. Hertzfeld stated that he has talked to the contractor and something will be done to correct the problem.

Mr. Hise asked if the extra money from previous phase of the Northwest Area Storm Sewer was still available to the Village.

Mr. Hertzfeld stated it goes back to the State at the completion of the project.

Mr. Hise asked if Phase IV has ever been funded.

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Mr. Hertzfeld replied it had not.

ADMINISTRATOR'S REPORT

Written report was presented.

Mr. Reynolds reported that the desk audit is underway; the meeting with Jeff Steele was on August 24, 2010.

Requested preliminary information from RITA has been obtained, will present at Finance meeting.

Quarry hours have been reduced; quarry will close on September 8, 2010.

The Rails-to-Trails meeting was held on September 2¹, 2010.

Bids for 2010 Repaving were received. Jennite Company is low bid; Ordinance 30-10 award the contract is on the agenda.

Personnel Committee met on August 24, 2010. Next meeting is scheduled for September 14, 2010.

Mr. Reynolds asked for a meeting of Economic Development to discuss the end of the current Big Dipper lease.

Final Super Cruise In was held on August 31, 2010. The event was well attended with over 192 cars and owners participating..

Streets and Sidewalks met before Council.

Northwest Storm Sewer Phase 4 application was submitted September 3, 2010.

Mr. Morrison of St John's Church has been contacted and provided information on drilling a well for their use concerning their air conditioning system.

Information on fishing license and Village Ordinance has been provided.

Quote for repair of front and side doors of Village Town Hall has been received. The doors will be taken down and refurbished, painted and replaced. It was suggested that before repainting, the Design Review Board approve the colors. Mr. Hise stated the steeple has not been painted in 25 years and could something be done about that.

Mr. Hise asked Mr. Reynolds to comment on the meeting held in his office on September 2, 2010 at approximately 3:00 PM.

Mr. Reynolds asked Mr. Hise if there was anything in particular Mr. Hise would like to discuss. Mr. Hise said to discuss in general.

Mr. Reynolds stated that Mayor Williams, Mr. Bittner and Mr. Hise came into his office to discuss a few items.

1.) Power Line to the Lagoon.

Mr. Reynolds reviewed the history of the Village providing power to the lagoons. Mr. Hise stated that was not what he was interested in, Mr. Hise wanted to know if the Village could get cheaper power from the Village's present power provider for the lagoons. Mr. Reynolds stated that was not what Mr. Hise had previously requested. Mayor stated Mr. Reynolds would research this and have an answer by Council meeting on September 7, 2010.

Mr. Reynolds was able to secure a discount on electric from First Energy, a copy of the report was placed in Mr. Hise's mailbox prior to the meeting.

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2.) Village's Liability coverage on Bonding of Utility Billing Manager

Mr. Reynolds stated that in researching this for Mr. Hise it was found that the Village had stopped the bonding for this position with the renewal in 2005 for 2005-2006 coverage period. This is in conflict with the Village's Codified Ordinances. Mr. Hise was Chairman of the Insurance Committee at that time; and had recommended the renewal with Hylant and the Ohio Plan at that time. Mr. Hise stated he could not be expected to remember this.

Mr. Hise asked Mr. Reynolds to prove it. Mr. Reynolds called Mr. Brinkman and asked for copies of the policies for 2004 and 2006. Mr. Reynolds offered to make copies for Mr. Hise.

3.) Credit Cards

Mr. Hise asked Mr. Reynolds why the Village has not obtained credit cards yet. Mr. Reynolds stated that Personnel Committee had just taken actions and the Village could be looking at as many as 18 cards. Mayor and Mr. Hise have determined that just a few people have cards, Mr. Reynolds stated that this was not what Mr. Reynolds thought was the wishes of the Personnel Committee.

4.) Electronic Bill Pay with Genoa Bank

Mr. Hise wanted to know why we were dragging our feet on this issue. Mr. Reynolds stated that neither he nor Mr. Brinkman have received an official proposal from Genoa Bank. All correspondence on this has been directed to Mr. Hise. Mr. Reynolds was not aware that Mr. Hise was able to enter into agreements or negotiate for the Village.

FISCAL OFFICER'S REPORT

Mr. Brinkman presented paid bills of \$202,248.11.

RECREATION ADVISORY BOARD

Mr. Reynolds stated no report. Mr. Hise stated Mike Thomas has asked who had final approval on what was to be planted in the Parks. Mr. Hise feels that Council should have the final say not Tree Commission. Mr. Ballenger, Village Solicitor, stated Tree Commission receives a set of guidelines and policy from Council to then decide what is planted.

MAYOR'S REPORT

Mayor stated he had received invitation from the Ottawa SWCD for their annual meeting and banquet; reservations need to be turned into Mr. Brinkman by September 21, 2010. The Ottawa County Community Foundation is having a "Jazz in the Gardens" on September 19, 2010 at Schedel Gardens in Elmore.

Mayor will be meeting with Graymont officials on September 21, 2010 at 4:30 PM to discuss easements for the Rails-to-Trails project.

Mayor asked for Council input for a sign recognizing Derrick Vicars for accomplishments in discus at the NCAA Division II finals.

Mayor reminded all committee chairpersons that written minutes of their meetings must be completed. Mr. Hise asked if entering what happened into the Council meetings was satisfactory. Mr. Ballenger, Village Solicitor, stated it was not.

Mayor reminded Council of the Genoa Street Fair on September 18, 2010.

Mayor asked about a sign for the parks stating "not open, no fishing and no walking dogs on beach during times the park is closed".

Mayor asked when the doors to Town Hall would be repaired. Mr. Reynolds stated he planned on September, 2010 if approved by the Design Review Board.

ECONOMIC DEVELOPMENT COMMTEE

Mr. St Marie reported on the meeting with Mr. Mock and Mr. Mitch Hoyles of Genoa Area Schools on Brunner and Allen School buildings. An appraisal has been completed; the deadline with the state for disposition of the buildings is October 10, 2010. There is a

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possible buyer for the Brunner building. Mr. Lewis asked for some guarantee that it would not be empty in a couple of years. Mr. Reynolds stated the possible buyers are a multi-jurisdictions agency.

Mr. St Marie scheduled a meeting for September 20, 2010 at 6:30 PM in Village Town Hall.

STREETS/SIDEWALKS COMMITTEE

Mr. Brown stated a meeting was held before Council on September 7, 2010. Mr. Brown scheduled a meeting for September 20, 2010 at 7:00 PM in Village Town Hall.

UTILITIES COMMITTEE

Mr. Hise stated no report, but scheduled a meeting for September 20, 2010 after Council meeting at approximately 8:45 PM in Village Town Hall.

FINANCE /INSURANCE COMMITTEE

No report as Mr. Adams was absent.

SAFETY COMMITTEE

Mr. Bittner stated no report but would like to have a joint meeting with Personnel Committee on September 14, 2010 at 6:00 PM.

AD HOC COMMITTEE

Mr. Lewis stated the Rails-To-Trails meeting of September 4, 2010 was well attended. A meeting with Graymont officials on an easement is scheduled for September 21, 2010 at 4:30 PM in the Village Town Hall. Next Rails-To-Trails is October 6, 2010 at 6:00 PM at Clay Township Hall. The group has decided to use the name "Friends of North Coast Inland Trail" for fundraising. The group is also looking into transferring ownership of the completed trails from Sandusky County Park District to Ottawa County Park District.

PERSONNEL COMMITTEE

Mr. Brown presented the minutes of the August 24, 2010. Mr. Brown reminded Council of the meeting scheduled for September 14, 2010 at 6:00 PM with Safety Committee in Village Town Hall.

ANYONE WISHING TO ADDRESS COUNCIL

Amy Laity, the Assistant Director of the Harris-Elmore Public Library and manager of the Genoa Branch, asked for support for the 1.1 mill levy on the ballot this November. Ms. Laity stated that almost 100% of the library funding comes from the state, but because of reduced revenues, the funding has decreased by about 20%. Projections for 2011 indicate another 9% decrease. Due to the decrease, the Harris-Elmore Library has cut hours, reduced purchase of books and materials, and lost their children's services coordinator.

The levy, for Ottawa County, will cost the owner of a \$100,000.00 home about \$35.00 per year. This will raise about \$250,000.00. If the levy passes, the library would be able to return to regular operating hours and services.

Ms. Laity had some handouts and volunteer forms for anyone interested.

Robert Hayes of 609 Buckeye Street stated that the Mayor and Police Chief should remember that they are public servants. Mr. Hayes asked the Mayor what he has accomplished during his term. Mr. Hayes stated that businesses have been run out of town, vandalism has increased, breaking and entering have increased; and people are fed up with it. Mr. Hayes stated that the Chief and Mr. Reynolds are arrogant. Mr. Hayes stated that when 3 kids tried to vandalize his garage; Mr. Hayes was able to get their bicycles. The next day, the kids had them back because the Chief stated he had been on vacation and knew nothing on the incident.

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Deanna
Mr. Hayes then stated that Mr. Reynolds had prevented the sign honoring his wife, ~~Dorothy~~ Hayes, from being put up on one of the baseball diamonds. Mr. Hayes had talked to Mike Thomas who stated he wanted the sign out of his office and that the Hayes' family would have to start over from the beginning on erecting the sign. Mr. Hayes asked Mr. Reynolds why he was here and stated the reason why the lap top computer was banned was because Mr. Reynolds was selling real estate on Village time.

ORDINANCES/RESOLUTIONS/MOTIONS

Mr. Hise presented **Ordinance 28-10**, an Ordinance Authorizing the Village Administrator to Execute Participant Decision Form Concerning the Sale of Renewable Energy Certificates (REC's) for Landfill Gas (JV2), and Declaring an Emergency Motion by Mr. Hise 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. Brown and Mr. Hise, all Yeas. Vote: Yea 5, Nay 0. Motion passed.

Mr. Hise moved, Mr. Brown seconded that **Ordinance 28-10** be passed as an emergency measure in accordance with ORC 731.30.

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

Mr. Hise moved, seconded by Mr. Brown that **Ordinance 28-10** be passed.

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

Mr. Bittner presented **Ordinance 29-10**, an Ordinance Authorizing the Village Administrator to Execute Participant Decision Form Concerning the Sale of Renewable Energy Certificates (REC's) for Ohio Alternative Energy Portfolio Standard (JV5), Inc. and Declaring an Emergency

Motion by Mr. Bittner 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. Brown and Mr. Hise, all Yeas. Vote: Yea 5, Nay 0. Motion passed.

Mr. Bittner moved, Mr. St Marie seconded that **Ordinance 29-10** be passed as an emergency measure in accordance with ORC 731.30.

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

Mr. Bittner moved, seconded by Mr. St Marie that **Ordinance 29-10** be passed.

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

Moved by Mr. Brown, seconded by Mr. Hise to table **Ordinance 30-10**, an Ordinance Awarding a Bid to Jennite Company of 4690 West Bancroft Street, Toledo, Ohio 43615, for a Base Bid in the Amount of One Hundred and One Thousand Seven Hundred Thirty-five Dollars and Fifty Cents (\$101,735.50) for the Village's 2010 Street Resurfacing Program and Declaring an Emergency.

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

Mr. Lewis presented **Ordinance 31-10**, an Ordinance Authorizing the Village Administrator of the Village of Genoa to Enter into an Agreement with Poggemeyer Design Group, for the Northcoast Inland Trail, and Declaring an Emergency Motion by Mr. Lewis and seconded by Mr. St Marie 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. Brown and Mr. Hise, all Yeas.

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Vote: Yea 5, Nay 0. Motion passed.

Mr. Lewis moved, Mr. St Marie seconded that **Ordinance 31-10** be passed as an emergency measure in accordance with ORC 731.30.

Roll called: Mr. St Marie, Mr. Bittner, Mr. Lewis, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Mr. Lewis moved, seconded by Mr. St Marie that **Ordinance 31-10** be passed.

Roll called: Mr. St Marie, Mr. Bittner, Mr. Lewis, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Mr. Hise presented **Ordinance 32-10**, an Ordinance Authorizing the Village Administrator of the Village of Genoa to Sign a Gennet Business Application to Permit Electronic Paperless Entries through the Village Bank Account, and Declaring an Emergency

Motion by Mr. Hise 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. Brown and Mr. Hise, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Mr. Hise moved, Mr. Brown seconded that **Ordinance 32-10** be passed as an emergency measure in accordance with ORC 731.30.

Roll called: Mr. St Marie, Mr. Bittner, Mr. Lewis, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Mr. Hise moved, seconded by Mr. Brown that **Ordinance 32-10** be passed.

Roll called: Mr. St Marie, Mr. Bittner, Mr. Lewis, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

OTHER BUSINESS

Mayor asked for motion to enter Executive session.

Mr. Hise moved, seconded by Mr. Lewis to enter Executive session per ORC 121.22 G, dismissal of a public employee.

Roll called: Mr. St Marie, Mr. Bittner, Mr. Lewis, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 5, Nay 0. Motion passed.

Enter Executive session at 8:47 PM. Exited Executive session at 9:15 PM.

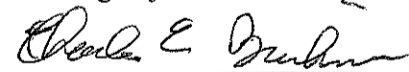
Motion to adjourn the meeting was made by Mr. Hise, seconded by Mr. Lewis.

Roll called: Mr. St Marie, Mr. Bittner, Mr. Lewis, Mr. Brown and Mr. Hise, all Yeas.

Vote: Yea 5, 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 9:02 PM.


FISCAL OFFICER


MAYOR