

RECORD OF PROCEEDINGS

June 18, 2018

REGULAR MEETING

- Mayor Harsanje, Sr. called the meeting to order at 7:02 p.m. and asked all to stand for the Pledge of Allegiance to the Flag.
- Mayor Harsanje Sr. then asked for the roll call:
- Council members in attendance included, Mr. Bittner, Mr. Diebert, Mr. Huston, Mr. Lewis, Mr. Koppinger, and Mr. St. Marie.
- Also in attendance were Village Solicitor Brian Ballenger, Administrator Kevin Gladden, Genoa Police Chief Brad Weis, and Fiscal Officer Julie Van Nest.
- Mayor Harsanje Sr. asked for a motion to approve the minutes from the Regular Council meeting for June 4, 2018.

Mr. Lewis made a motion to accept the minutes from the June 4, 2018 Regular Council meeting; seconded by Mr. Bittner.

Yeah: Mr. Lewis, Mr. Bittner, Mr. Diebert, Mr. Huston, Mr. Koppinger and Mr. St. Marie

Nay:

Abstained:

Motion carried

- **FISCAL OFFICERS REPORT** – Julie Van Nest
- Ms. Van Nest stated Mr. Huston was reviewing bills she sent out on June 8th in the amount of \$6,178.00 on June 15th in the amount of \$27,036.00 and on June 16th in the amount of \$105,690.00.
- Ms. Van Nest reported she paid Payroll and Payroll withholding taxes on June 8th of \$39,771.00.
- Ms. Van Nest sent letters to Grogan, First Federal, Huntington, and Genoa Banks for bids on interest rates for the CD that matures on July 9, 2018, sealed bids will be open at the Investment meeting on July 2, 2018.

MAYORS REPORT – Ken Harsanje Sr. – report attached

- Mayor Harsanje Sr. stated the OCIC Trustee meeting would be at Schedel Gardens.
- Mayor Harsanje Sr. mentioned the Council of the Whole meeting scheduled for June 20th was to have an open discussion only with Clay Township Trustees, no decision will be made.
- Mr. Huston asked why there was a time limit on the Council of the Whole meeting. Mayor Harsanje Sr. stated it was set to help keep the meeting on track.
- Mayor Harsanje Sr. stated when he attended the Mayors Annual Conference they listened to a speaker from the Ohio Ethics committee and he informed them that when Council members abstain from a vote, a reasons should be given as to why they abstained.

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ENGINEER'S REPORT – Kevin Gladden

- Mr. Gladden reported Phase III of the Washington Street Storm Sewer Project has started and they have had to make three major changes already. The present storm sewers water line and sewer line were in the same spot, and had to be moved.

ADMINISTRATOR'S / ZONING REPORT - Kevin Gladden

- Mr. Gladden reported they held a Utilities Committee and Economic Development Committee meeting and he will let the Committee Chairman cover that information.
- Public works crews completed a 2 inch water tap on St. Rt. 51 to Owens Ark Veterinary Clinic
- Mr. Gladden explained that Mr. Hoyles informed him of the Townships participation in an Indigent Disposition Agreement, where the Township pays \$300.00 a year for those who do not have money for burial. Mr. Gladden told Mr. Hoyles he would turn it over to ADHOC for consideration.
- Mr. Ballinger stated ORC makes the Village responsible for burial of any indigent residents if it becomes necessary, so Council may want to consider participating in the Agreement.

COMMITTEE REPORTS

ECONOMIC DEVELOPMENT – Mr. St. Marie

- Mr. St. Marie stated they held an Economic Development Committee meeting prior to Council and reviewed the Village property appraisals on West and S. Railroad.
- Mr. St. Marie reported the Economic Development Committee would like to list the S. Railroad St. property for bids at the appraised value for the use of Condo's, Villas or single family dwellings to be built there.
- Mr. St. Marie mentioned the Committee would address the West St. property later after the S. Railroad property was taken care of.

Mr. St. Marie made a motion to advertise for bid at the appraised value the Village property on S. Railroad St. for the use of Condo's, Villas, or a Single family dwelling; seconded by Mr. Huston. Roll Call:

Yeah: Mr. St. Marie, Mr. Huston, Mr. Bittner, Mr. Diebert, Mr. Lewis, and Mr. Koppinger.

Nay:

Abstained:

Motion carried.

STREETS & SIDEWALKS - Mr. Koppinger

- Mr. Koppinger stated he had to reschedule his meeting with Mr. Gladden to discuss the sidewalk issues including ADA street corners, and camera's in the Park, so he had no report at this time

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UTILITIES - Mr. Diebert

- Mr. Diebert stated they held a Utilities meeting prior to Council to discuss the cost of refuse and sewer rates.
- Mr. Diebert explained as of now we have a hike in our refuse rate for the final 18 month of our contract and to cover the increase they would like to raise refuse cost to the residents.

Mr. Diebert made a motion to increase the refuse rates by \$2.00 making it \$14.40 per address, starting with July usage which is posted on the August bill; seconded by Mr. Huston. Roll call:

Yeah: Mr. Diebert, Mr. Huston, Mr. St. Marie, Mr. Bittner, Mr. Lewis, and Mr. Koppinger.

Nay:

Abstained:

Motion carried.

- Mr. Diebert reported the Village had an issue with out of Village residents who were not paying their sewer bills until it was assessed to their taxes. Mr. Diebert spoke with Mr. Ballenger regarding possibly assessing penalties to those residents. Mr. Ballenger informed Mr. Diebert that the County does assess interest on those but he is going to find out if we can (A.) add our own penalty and (B.) if any of the County assessed interest comes back to the Village.

FINANCE/INSURANCE - Mr. Huston – no report

- Two meetings are scheduled prior to next Council meeting, Investment Committee meets at 6:00 pm and Finance meets at 6:15 pm.

SAFETY - Mr. Bittner

- Mr. Bittner presented Council with the ACJFD report.

AD/HOC - Mr. Lewis

- Mr. Lewis reminded Council they have a Council of the Whole meeting on Wednesday June 20th at 7:00pm to meet with Clay Township trustees.
- Mr. Lewis presented Council with the minutes from the last ADHOC meeting.
- Mayor Harsanje Sr. mentioned they visited the North Coast Inland Bike Trail, then held a meeting after with ODOT, Poggemeyer, and Ottawa County Commissioners. Mayor Harsanje Sr. mentioned it was moving alone and is forecasted for August/September of 2021.

PERSONNEL - Mr. Koppinger – no written report

- Mr. Koppinger stated the Personnel Committee will meet prior to the next Council meeting to discuss any Personnel Policy Handbook issues.

QUESTIONS: Mayor Harsanje Sr. asked if anyone wished to address Council.

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Ordinance #13-2018 third reading by Mr. Huston

ORDINANCE #13-2018

ORDINANCE ESTABLISHING A 6 MONTH MORITORIUM ON THE INSTALLATION OF BEHIND THE METER RESIDENTIAL AND COMMERCIAL SOLAR PROJECTS; THIRD READING.

Mr. Huston made a motion to adopt Ordinance #13-2018; seconded by
Mr. Diebert, Roll call:

Yeah: Mr. Huston, Mr. Diebert, Mr. Bittner, Mr. St. Marie, Mr. Koppinger, and Mr. Lewis,

Nay:

Abstained:

Motion carried.

Ordinance #14-2018 third reading by Mr. Lewis

ORDINANCE #14-2018

ORDINANCE AMENDING CODIFIED ORDINANCE 1181.08 FENCE LOCATION; THIRD READING.

Mr. Lewis made a motion to adopt Ordinance #14-2018; seconded by
Mr. Diebert. Roll call:

Yeah: Mr. Lewis, Mr. Diebert, Mr. Huston, Mr. Bittner, Mr. Koppinger, and Mr. St. Marie.

Nay:

Abstained:

Motion carried.

Ordinance #15-2018 third reading by Mr. Diebert

ORDINANCE #15-2018

ORDINANCE AMENDING CODIFIED ORDINANCE 1169.01 PERMITTED USES (MEDICAL MARIJUANA); THIRD READING.

Mr. Diebert made a motion to adopt Ordinance #15-2018; seconded by
Mr. Lewis.

Mr. Koppinger made a motion to amend Ordinance #15-2018; to exclude Medical
Marijuana from the entire Village completely; seconded by Mr. Diebert. Roll call:

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Discussion;

Mayor Harsanje Sr. stated at the Mayors conference he was informed if Medical Marijuana was excluded from the Village completely it could leave the Village open to a law suit.

Mr. Koppinger replied he is bothered by the fact the Village is voting to allow it.

Mr. Gladden clarified the way the Ordinance was written it limits it to the M1 district which is full, there are no available lots in the M1 district.

Mr. Ballenger established that the State ORC provides the Village exclude it.

Mr. Koppinger stated considering ORC, Medical Marijuana will not be allowed anyway, so there would be no grounds for a law suit and he did not like the idea that Council was going to vote to allow it even though the Ordinance limits it to the M1 district.

Mr. Koppinger stated in 2015 the Village of Genoa and Ottawa County voted 63% against allowing Medical Marijuana and he felt to vote for it in any way was going against the will of the people.

Mr. Koppinger informed Council the information given to them came from the Planning Commission where it takes a three quarters vote to amend an amendment, which would be five out of six council members. Mr. Koppinger pointed out the Planning Commission is not an elected group, yet Council has to have a majority to overturn anything they do.

Mr. Koppinger made a motion to amend Ordinance #15-2018; to read the Village of Genoa does not allow Medical Marijuana to be cultivated, grown, distributed, or sold within the Village; seconded by Mr. Diebert. Roll call:

Yeah: Mr. Koppinger, Mr. Bittner, Mr. Huston, and Mr. Lewis.

Nay: Mr. Diebert and Mr. St. Marie

Abstained:

Motion carried.

Mr. Diebert made a motion to adopt Ordinance #15-2018; seconded by Mr. Lewis. Roll Call:

Yeah: Mr. Diebert, Mr. Lewis, and Mr. Bittner.

Nay: Mr. Huston and Mr. St. Marie

Abstained: Mr. Koppinger (for the reason-that a yes or no vote still approves the manufacturing, cultivation and sales of Medical Marijuana and he will not vote yes for any one of them.

Motion carried.

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Mayor Harsanje Sr. asked if there was any further business to discuss.

- Mr. Gladden stated he forgot to mention earlier, they had issues with the Unit three Caterpillar Diesel at the Diesel site, it's one they are working on that does not shut off on auto, so he had to go out and shut it off by emergency stop. Unit one Caterpillar has a radiator crack that can be taken care of in the fall, but the estimate for repair is \$57,261.00 which we will address after peck season is over.
- The West End Senior Picnic is tomorrow at the Genoa Fire Hall from 11am-2pm.

Mr. Huston made a motion to adjourn; seconded by Mr. Koppinger. Roll call:

Yeah: Mr. Huston, Mr. Koppinger, Mr. St. Marie, Mr. Bittner, Mr. Lewis, and Mr. Diebert.

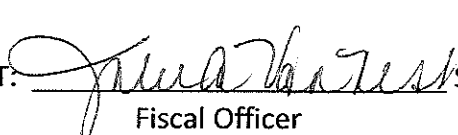
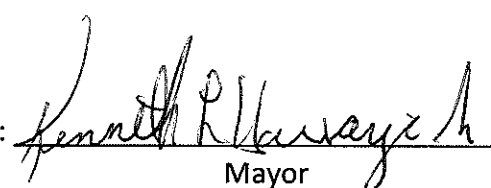
Nay:

Abstained:

Motion carried.

With no further business of the Council, Meeting adjourned at 7:39 pm.

Audio recording available.

ATTEST:  SIGNED: 
Fiscal Officer Mayor

APPROVED: 7-2-18

Mayor's Report

- 6:00 pm Utilities Committee
- 6:30 pm Economic Development
- 7:00 pm Regular Council Meeting

- Tuesday June 5th – Attended Merchants Meeting
- Monday June 11th – Attended North Coast Inland Trail (NCIT) Field Review
- Wednesday June 13th – Friday June 15th – Attended Ohio Mayors Annual Conf. in Akron
- Friday June 15th – Saturday June 16th – North West Ohio Fire Department Convention at Gibsonburg

UPCOMING MEETINGS AND EVENTS

- Tuesday June 19th – OCIC Trustee Meeting/Schedules 7:30 am
 - Tuesday June 19th – Merchants Meeting / Rayz 8:00 am
 - Wednesday June 20th – Ottawa County Safety Council / Camp Perry 11 am-1 pm
 - Wednesday June 20th – Council of the Whole / w Clay Township Trustees 7-7:45 pm
 - Tuesday June 26th – Chamber Car Show 5:00 pm
 - Wednesday June 27th Genoa retirement Village Advisory Board Dinner/meeting 6:00 pm
 - Wednesday June 27th – Allen Clay Fire District / Genoa Station meeting 8:00 pm
 - Monday July 2nd - Next Council Meeting 7pm
Investment Committee 6:00 pm
Finance Committee 6:15 pm
Personnel Committee 6:30 pm
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