

RECORD OF PROCEEDINGS

May 18th, 2020 REGULAR MEETING

- Mayor Thomas E. 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. Diebert, Mr. St. Marie, Mr. Lewis, Mr. Koppinger, Mr. Huston, and Mr. McPherson, who was listening to meeting by phone.
- Also, in attendance were Village Fiscal Officer Julie Van Nest, Police Chief Brad Weis, Brian Ballenger Solicitor and Kevin M. Gladden Administrator.
- Mayor Bergman asked for approval of the minutes from the regular Council meeting on April 20th, 2020 that have been completed.
- Mr. Diebert made a motion to approve the minutes from April 20, 2020 regular Council Meeting; seconded by Mr. St. Marie.

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

Nay:

- Mayor Bergman asked for approval of the minutes from the regular Council meeting on May 4, 2020 that have been completed.
- Mr. Diebert questioned the scheduled committee meetings prior to this meeting. No problem was seen in not mentioning them as they were canceled.
- Mr. Diebert made a motion to approve the minutes from May 4, 2020 regular Council Meeting; seconded by Mr. Lewis.

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

Nay:

ENGINEERS REPORT – No report. Included in Administrators report.

ADMINISTRATORS REPORT – A written report was presented. Note for CBDG sidewalk project, Council was informed of the decrease to \$70,000.00 as County had other projects. PLC generator project will be funded by AMP so project can be paid for by the adder on the bill. Call was made to PEP/PERSO our liability for sporting events and to open the quarry. Still waiting for information. Mayor went through a list of area communities that will not have sports, and swimming has been canceled. Jacob Schwab has petitioned the Village for a hemp product store that he may lease within the Village. In talking with the Village Solicitor this would not violate our ordinance. The State of Ohio would be the regulating agency. Councilman Lewis asked about the transmission credits if the generators do not run. Explained the financial aspects of them not running. Mr. Lewis also asked about the bankruptcy of Frontier. It was reported they owe \$9000.00 in Utilities. This has been entered to Fair Harbor for collection. Mr. Lewis also asked about the bike trail meeting that was termed interesting. Not an organized group at this time.

RECORD OF PROCEEDINGS

FISCAL OFFICERS REPORT – Ms. Van Nest

- Ms. Van Nest gave Council, Mayor, and the Village Administrator paid invoices in the amount of \$55133.71 and payroll and withholdings of \$31842.45. She will also provide Council a revenue comparison from last year to this year at the next meeting. RITA deposited \$133,000.00 this month. Mr. Diebert had an issue with penalties from RITA. Wanted to make sure they were following our tax code. We had those fees and passed an ordinance agreeing to RITA rules also.

MAYORS REPORT - Written report provided.

- Mayor reported about restaurants opening. The Mayor proposes to allow downtown restaurants to use Village property for outside dining and use Village picnic tables and the Village has adopted a written application. Rayz will be using the rear one-way lot behind them. Mr. McPherson asked about the other restaurants other than Rayz and the Mayor reported they have been offered. Mr. Koppinger asked about times of operation. Mayor stated we could stipulate a time to close outside, in which midnight seemed to be a reasonable time, adding that application can be rescinded if they do not comply with the written form. Form is needed for liqueur control. Mayor asked for a motion to approve the application. Items discussed will be added to the form.
- Mr. Houston made a motion to allow the use of Village property for outside dining and the addition of signing the Village form. Seconded by Mr. Lewis

YEAH: Mr. Houston, Mr. Lewis, Mr. Diebert, and Mr. Koppinger

NAY: Mr. McPherson

ABSTAIN: Mr. St. Marie- Conflict of Interest

A discussion ensued about baseball, softball, and opening the quarry. The Mayor states he would like to wait until we have more information from PEP and how other communities handle the situation. Mr. Gladden informed Council that it needs to be soon as we could lose employees if we don't decide soon.

Mayor reports he has a candidate to replace Mr. Fryman on the Zoning Board of Appeals. Mr. Bill Weaver. Mayor asked for a motion to approve Mr. Weaver.

- Mr. Houston made a motion to approve Mr. Bill Weaver to the BZA, seconded by Mr. Diebert

YEAH: Mr. Houston, Mr. Diebert, Mr. Lewis, Mr. Koppinger, Mr. McPherson, and Mr. St. Marie

NAY:

ABSTAIN:

RECORD OF PROCEEDINGS

Mayor is looking for information on a CRA and cannot find paperwork and has asked the state for the information. He would like to schedule a meeting to discuss the issue. This would be for residential and would like an Economic Development Meeting to discuss and Mr. St. Marie will handle.

Mayor Bergman then read a Proclamation in honor of Tim Reed as an asset to the Village and named May 18th, 2020 as Tim Reed Day in the Village.

ECONOMIC DEVELOPEMENT - Mr. St. Marie asked about the properties held by Genoa Bank and any info no has heard and the financial climate at this time may be a factor.

STREETS AND SIDEWALKS - Mr. McPherson – No report

UTILITIES - Mr. Diebert – No report

FINANCE AND INSURANCE - Mr. Huston – No report

SAFETY - Mr. Koppinger – Stated he had talked to Mr. Lewis about the Fire Board and for Regional Planning all binders are downstairs and has made his last report and given it to Julie for the records. Also has the minutes of the Fire Board when he can get them printed. No alternate yet for Regional Planning.

AD HOC - Mr. Lewis – No report

PERSONNEL – Mr. Koppinger – No report

Ordinance 17-2020

AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO TRANSFER TWO THOUSAND SEVEN HUNDRED FIFTY SIX DOLLARS (\$2,756.00), FROM WATER FUND (5101), THE SEWER FUND (5201), AND THE ELECTRIC FUND (5301), INTO THE EQUIPMENT DEBT FUND (3401), AND DECLARING AN EMERGENCY.

Mr. Houston made a motion that the rule requiring three distinct readings for Ordinance #17-2020 be dispensed with in accordance with O.R.C. section 731.17; seconded by Mr. Diebert. Roll call:

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

Nay:

Abstained:

Mr. Houston made a motion to pass Ordinance #17-2020 as an emergency measure according to ORC section 731.30; seconded by Mr. Diebert. Roll call:

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

Nay:

Abstained:

Mr. Houston made a motion to adopt Ordinance #17-2020; seconded by Mr. Diebert. Roll call:

RECORD OF PROCEEDINGS

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

Nay:

Abstained:

Ordinance 18-2020

AN ORDINANCE AUTHORIZING THE NUMBER OF FULL TIME POLICE OFFICERS FOR THE VILLAGE OF GENOA; AND DECLARING AN EMERGENCY.

Mr. Diebert made a motion that the rule requiring three distinct readings for Ordinance #18-2020 be dispensed with in accordance with O.R.C. section 731.17; seconded by Mr. Lewis. Roll call:

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

Nay: Mr. Koppinger.

Abstained:

Mr. Houston made a motion to pass Ordinance #18-2020 as an emergency measure according to ORC section 731.30; seconded by Mr. Diebert. Roll call:

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

Nay: Mr. Koppinger.

Abstained:

Mr. Houston made a motion to adopt Ordinance #18-2020; seconded by Mr. Diebert. Roll call:

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

Nay: Mr. Koppinger

Abstained:

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AN ORDINANCE AUTHORIZING THE NUMBER OF FULL TIME POLICE OFFICERS FOR THE VILLAGE OF GENOA; AND DECLARING AN EMERGENCY.

Mr. Diebert made a motion that the rule requiring three distinct readings for Ordinance #18-2020 be dispensed with in accordance with O.R.C. section 731.17; seconded by Mr. Lewis. Roll call:

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

Nay: Mr. Koppinger.

Abstained:

Mr. Houston made a motion to pass Ordinance #18-2020 as an emergency measure according to ORC section 731.30; seconded by Mr. Diebert. Roll call:

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

Nay: Mr. Koppinger.

Abstained

RECORD OF PROCEEDINGS

Mr. Diebert moved to amend the ordinance. The Mayor explained that after talking with the Chief that hours could be moved to 184 hours. Mayor can amend the policy. This would also be 368 total hours in a pay and 24 hours for part-time officers. And to be entered into the Ordinance that it falls under Ordinance Number 137.06

Mr. Diebert made a motion to amend Ordinance #18-2020 to reflect the above changed hours and wording, seconded by Mr. Lewis.

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

Nay: Mr. Koppinger.

Abstained

Mr. Diebert made a motion to adopt Ordinance #18-2020, seconded by Mr. Lewis.

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

Nay: Mr. Koppinger.

Abstained

Ordinance 19-2020

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A SECTION 125 PLAN WITH BURHNAM & FLOWER INSURANCE GROUP; AND DECLARING AN EMERGENCY.

Mr. Houston made a motion that the rule requiring three distinct readings for Ordinance #19-2020 be dispensed with in accordance with O.R.C. section 731.17; seconded by Mr. Diebert. Roll call:

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

Nay:

Abstained:

Mr. Houston made a motion to pass Ordinance #19-2020 as an emergency measure according to ORC section 731.30; seconded by Mr. Diebert. Roll call:

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

Nay:

Abstained:

A motion was asked for to excuse Mr. McPherson as he was lost on the tele-conference.

Mr. Diebert moved to excuse Mr. McPherson, seconded by Mr. St. Marie. Roll Call:

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

Nay:

Abstained:

RECORD OF PROCEEDINGS

Mr. Houston made a motion to adopt Ordinance #19-2020; seconded by Mr. Diebert. Roll call:

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

Nay:

Abstained:

The Mayor asked that Police Officer Mr. Lewis, in losing full time status, that we compensate him by paying for his health care for the rest of the year and be given a \$5120.00 bonus, equaling 8 weeks' pay. The Mayor asked for a motion.

Mr. Koppinger made the motion and seconded by Mr. Diebert. Roll Call:

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

Nay:

Abstained:

Mayor Bergman asked if anyone wished to address Council.

Mr. Diebert asked if a motion was needed to look for a new Council person. The Mayor stated it was triggered by ordinance and at the effective date Council has 30 days to appoint. Mr. Koppinger's date will be May 30th. Mr. Gladden will post in the paper and on social media.

Mr. Koppinger wanted to state this is his last meeting. Feels he left some unfinished business for the residents and has been disappointed about the Police Department affairs and the marihuana vote but thanked Council for his time.

The next Regular Council Meeting will be Monday June 1st, 2020.

Mr. Diebert made a motion to adjourn; seconded by Mr. St. Marie. Roll call:

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

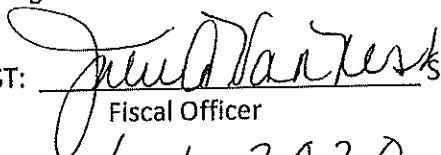
Nay:

Abstain:

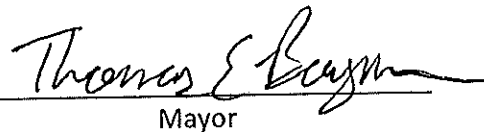
With no further business of the Council, Meeting adjourned at 8:08 pm.

Audio recording available.

ATTEST:


Fiscal Officer

SIGNED:


Mayor

APPROVED:

6-1-2020