

**MINUTES**  
**City of Geneva**  
Council Meeting  
May 13, 2013  
7:06 p.m.

Roll Call – Jeffrey Piotrowski, Rodger Fuller, Tim Miller, Howard Anderson, Michael Keenan and Mike Shupska

Absent: Philip Cordova

Pledge of Allegiance to the Flag was said and prayer was offered by Pastor Bruce Hitchcock, United Methodist Church.

Motion was made by Howard Anderson to accept the minutes of the April 22, 2013 Council Meeting, seconded by Rodger Fuller. Roll call, 6 yeas.

**Department Presentation** – Mr. Christopher D. Khorey, Associate Planner, McKenna Associates

Mr. Pearson introduced Mr. Christopher D. Khorey of McKenna Associates to speak to Council regarding the issues with the Wireless Telecommunication Tower. Mr. Pearson and Ms. Gardner have both had discussion with Mr. Khorey regarding this subject.

Mr. Khorey distributed a Memorandum dated May 13<sup>th</sup> outlining a process that McKenna and CMS (Center for Municipal Solutions) use to review and approve wireless telecommunication. A temporary process could be put in place while a process more specific to Geneva is designed. The temporary process could assist with any applications that come in prior to the final process being approved. The application fee (\$5,000 for a new tower and \$2,500 for co-locations) pays McKenna fee for the permitting process. Unused funds remain in escrow. There are not a lot of specifics in the temporary process; specifics will be included in the permanent ordinance designed for Geneva. Towers designed correctly should not pose any dangers or emissions.

The ordinance will require a special use permit for wireless telecommunication towers. The City can write a new ordinance or modify the current ordinance.

Once the vendor has gone through the process, the permit is almost never denied as the problems are corrected before the vendor gets to the City.

Mr. Pearson stated that he and Lauren Gardner have talked to Mr. Khorey and are comfortable with his expertise and his position with McKenna.

Cell companies can hook an antenna on a current tower rather than build an entirely new tower. The permit process gives the vendor incentive to hook on rather than build.

The City also has the option to designate City owned or other preferred property as high priority for cell towers. This would put the burden on the vendor to prove why the priority areas would not work before they could reject those sites.

**Citizens** – None.

**Items for Consideration of Council –**

**Ordinance No. 3108 – Third Reading.** An Ordinance Modifying Certain Sections of the Rental Housing Code and the Zoning Code to Expressly Allow for Short-Term Vacation Rentals in the City.

Roll call on passage. 6 yeas.

**Ordinance No. 3109.** An Ordinance to Create Fund “294 – Clean Ohio Assistance Fund Grant Fund IV”, and declaring an emergency.

Motion by Rodger Fuller seconded by Howard Anderson to declare Ordinance No. 3109 an emergency measure. Roll call, 6 yeas. Motion by Howard Anderson, seconded by Rodger Fuller that the rule of law requiring certain Ordinances be read at three separate meetings be waived and suspended and Ordinance No. 3109 be placed on the final roll for passage. Roll call, 6 yeas. Roll call on passage, 6 yeas. Ordinance No. 3109 duly passed.

**Ordinance No. 3110.** An Ordinance to Create Fund “815-Unclaimed Funds Fund”, and declaring an emergency.

Ms. Stuetzer explained that this fund is being created hold old outstanding checks that have not been cashed. After five years, those funds can be moved to the general fund.

Motion by Michael Keenan seconded by Tim Miller to declare Ordinance No. 3110 an emergency measure. Roll call, 6 yeas. Motion by Howard Anderson, seconded by Tim Miller that the rule of law requiring certain Ordinances be read at three separate meetings be waived and suspended and Ordinance No. 3110 be placed on the final roll for passage. Roll call, 6 yeas. Roll call on passage, 6 yeas. Ordinance No. 3110 duly passed.

**Ordinance No. 3111.** An Ordinance to Amend the 2013 Budget through Appropriations and Fund Transfers, Attached Hereto and Marked Exhibit “A”, and declaring an emergency.

The budget is being amended to set up the Block Grant for the Streetscape project.

Motion by Rodger Fuller seconded by Tim Miller to declare Ordinance No. 3111 an emergency measure. Roll call, 6 yeas. Motion by Howard Anderson, seconded by Rodger Fuller that the rule of law requiring certain Ordinances be read at three separate meetings be waived and suspended and Ordinance No. 3111 be placed on the final roll for passage. Roll call, 6 yeas. Roll call on passage, 6 yeas. Ordinance No. 3111 duly passed.

**Resolution No. 3245.** A Resolution Declaring it Necessary to Improve the Streets in the City of Geneva by Supplying Electric Lighting, and declaring an emergency.

This is the first step in the process of assessing the Street Lighting. Another Ordinance will come before Council in mid July to proceed with the assessment.

Motion by Rodger Fuller seconded by Tim Miller to declare Resolution No. 3245 an emergency measure. Roll call, 6 yeas. Motion by Rodger Fuller, seconded by Howard Anderson that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution No. 3245 be placed on the final roll for passage. Roll call, 6 yeas. Roll call on passage, 6 yeas. Resolution No. 3245 duly passed.

**Resolution No. 3246 – 1<sup>st</sup> Reading.** A Resolution Authorizing the Vice President of Council to enter into a Lease Agreement with Pairings, Ohio’s Wine And Culinary Experience for the establishment of Windows on Pairings.

Mr. Piotrowski stated that although he supports the project, Mr. Piotrowski is on the Pairings Board so the Vice President of Council will sign the Lease, if approved, so that there is no conflict.

**Resolution No. 3247.** A Resolution Declaring that Brine Solution will not be Applied to Roads and Requesting the EPA Permit be Cancelled, and declaring an emergency.

The purpose of this legislation to relieve the City from the requirement to file a report with the EPA; the City has not used a brine solution on the roads in at least the last twelve years.

Motion by Michael Keenan seconded by Tim Miller to declare Resolution No. 3247 an emergency measure. Roll call, 6 yeas. Motion by Michael Keenan, seconded by Howard Anderson that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution No. 3247 be placed on the final roll for passage. Roll call, 6 yeas. Roll call on passage, 6 yeas. Resolution No. 3247 duly passed.

**City Manager’s Report –**

Mr. Pearson stated that Chief Dudik would like to talk to Council about the possibility of filing a COPS Grant Application.

The purple ribbons displayed in town are for the American Cancer Society Relay for Life which will be held June 8 and 9 at the Ashtabula County Fair Grounds.

The Streetscape project is going well downtown. The concrete will be poured tomorrow. The brick work began on Thursday.

Tomorrow and Wednesday Chief Starkey will be wrapping up improvements at the Pavilion.

The CIC of Geneva has partnered with the Madison CIC to purchase movie equipment.

Council should begin to see Concerts in the Park held at the Pavilion weekly as Movies every week in the month of July.

**Unfinished Business** – None.

**New Business** -

Chief Dudik stated that the Department of Justice is again offering the COPS Grant. May 22, 2013 is the deadline. The COPS Grant is giving special consideration to hiring School Resource Officers or hiring military.

The City used Tri-C for the Civil Service Physical Testing this year. Fourteen people are on the list. The top ten will be interviewed. Seven people on the list have been in the military.

For this year’s COPS Grant, the funding is 75/25 (grant/city) for the first three years and the City pays 100% the fourth year.

In the next 3 to 5 years the department will lose 3 to 5 officers to attrition.

Only one officer can be applied for through the grant.

Rodger Fuller made a motion that the City apply for the COPS Grant. Mike Shupska seconded the motion. Roll Call. 6 yeas. The motion passed.

Howard Anderson made a motion to cancel the May 27, 2013 Council Meeting due to Memorial Day. Tim Miller seconded the motion. Roll Call. 6 yeas. The motion passed.

Tim Miller made a motion to approve the City Manager signing a Memorandum of Understanding between the City of Geneva and Terra Local for the use of the Pairings site until the Pairings Lease is approved.

**Payment of Bills** - No objections.

**Committee Reports** -

Mr. Anderson stated that he gave his Finance Committee report during the work session.

**Citizens** - None.

Rodger Fuller made a motion to go into Executive Session to discuss Personnel Matters - Appointment and Land Acquisition.

Rodger Fuller made a motion to reconvene. Tim Miller seconded the motion.

Council meeting adjourned at 8:58 p.m.

Recorded by: Phyllis Dunlap  
Clerk of Council

---

President of Council

---

Clerk of Council