

**MINUTES**  
**City of Geneva**  
Council Meeting  
July 28, 2014  
7:00 p.m.

Jeff Piotrowski opened the Council Meeting at 7:00 p.m.

Roll Call – Jeff Piotrowski, Tim Miller, Howard Anderson, Mike Shupska, Susan Hagan, William Buskirk, and David W. Per Due

Pledge of Allegiance to the Flag was said and prayer was offered by Rev. Raymond Baker – Faith Freedom Fellowship.

Motion was made by Howard Anderson to approve the minutes of the July 14, 2014 Council Meeting, seconded by Susan Hagan. Roll call, 7 years.

**Department Presentation** – Finance Department, Juantia Stuetzer Presenting

Ms. Stuetzer reported the following:

The Audit has been completed. No recommendations were received.

The City received the State Award for Clean Audit the last three years.

The 2015 Tax Budget was submitted to the County Auditor.

The City is beginning to look at the numbers for 2015.

The Real Estate Levy Resolution will be passed in September.

There is an appropriation on for Council this evening.

At the end of September the City will estimate where we are. This gives the City three months to estimate where the carryover will be.

The City has done okay this year as far as the estimated revenue.

The Finance Department will be very busy setting up funds for the JEDD III, the TIF's, the developer's fees and three grants. All of this will be incorporated into the Operating Budget.

The City has received one debt quote for the mini-excavator for the Water Department. The City is waiting for the quote from KeyBank.

WRSLA debt funding has been approved for three of the Water projects; the AMR, North Broadway Water Line and the Harpersfield Booster Station.

The Finance Department is busy closing out and opening grants and preparing draws.

Council stated that the Administration has done an excellent job of obtaining these funding sources. There a lot of people working together to keep those projects moving. The attention to detail is much appreciated.

**Citizens** –

Sharon Smallwood  
241 Eastwood Street  
Geneva, Ohio

Mrs. Smallwood lives across from Memorial Field.

Ms. Smallwood has heard that the City is going to install a playground around the field house, in her front yard. Ms. Smallwood stated that she is happy with progress the City has made at Memorial Field. There are several acres in Memorial Field. Up on the hill further south from where the bleachers were taken out would be better.

That area is a flood zone and floods whenever there is a lot of rain.

The area being discussed in close to the road, it is a safety issue. There is enough noise on Eastwood Street.

If located in the by the field house, it will be right in front of Ms. Smallwood's house.

Ms. Smallwood has spoken to the Zoning Office and the Fire Department. Ms. Smallwood was told that the playground would be wrapped around the building.

Ms. Smallwood requested that the City take into consideration the traffic patterns and noise control. Ms. Smallwood sat on her front porch last Thursday and counted 140 cars in half an hour. Website for public playgrounds, safety handbook talks about evaluating locations for playgrounds. It states you should not locate a playground next to a main road.

Ms. Smallwood loves seeing the field used and loves what the City has done with the field. Ms. Smallwood loves playgrounds but does not want it there. The playground would be better located up on the hill or south of the old bleachers.

Mr. Buskirk suggested that the location discussion be put into committee and those in the neighborhood should be invited.

The location of the playground will be added to the Planning Committee Agenda scheduled for August 4<sup>th</sup>. Council asked that the meeting be advertised and notice be sent to the people in the neighborhood.

Mr. Miller suggested that an aerial photo of the area be provided with a footprint of the playground to scale to facilitate identifying a proper location.

Mr. Anderson stated that he is aware of the noise pollution issue. Geneva Schools cut down the pine trees that separated his property from the tennis courts. The noise and the lights did bother Mr. Anderson.

Ms. Smallwood stated that the playground is huge and will be an eye-sore by the field house. Setting in the back, it would be beautiful. The lower spot is the perfect spot.

Motion was made by David Per Due to Adjourn to Executive Session to discuss pending litigation. Tim Miller seconded the motion. 7 yeas. Motion passed at 7:21 p.m.

Motion was made by Susan Hagan to Reconvene the Council Meeting. Howard Anderson seconded the motion. 7 yeas. Motion passed at 7:41 p.m.

### **Items for Consideration of Council –**

**Ordinance No. 3140.** An Ordinance Determining to Proceed with Improving the following Streets by Supplying Street Lighting, and to Levy Assessments for Such Lighting, and declaring an emergency.

The millage remains the same as last year at .26 mil. It has been the same the last 5 years. The City has been tracking this for 60 years. The average is 2.5.

Motion by Howard Anderson, seconded by Tim Miller to declare Ordinance No. 3140 an emergency measure. Roll call, 7 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. 3140 be placed on the final roll for passage. Roll call, 7 yeas. Roll call on passage, 7 yeas. Ordinance No. 3140 duly passed.

**Ordinance No. 3141.** An Ordinance to Amend the 2014 Budget through Appropriations and Fund Transfers, attached hereto and Marked Exhibit “A”, and declaring an emergency.

Motion by Susan Hagan, seconded by Tim Miller to declare Ordinance No. 3141 an emergency measure. Roll call, 7 yeas. Motion by Susan Hagan, seconded by Tim Miller that the rule of law requiring certain Ordinances be read at three separate meetings be waived and suspended and Ordinance 3141 be placed on the final roll for passage. Roll call, 7 yeas. Roll call on passage, 7 yeas. Ordinance No. 3141 duly passed.

**Resolution No. 3284.** A Resolution Authorizing the City Manager to Execute the Submittal of a No Further Action Letter to Ohio Environmental Protection Agency on Behalf of the Clean Ohio Assistance Fund Grant, and declaring an emergency.

This is the final piece for the COAF to clean up the True Temper site for the Arthur Luis Steel expansion. The letter achieves a covenant not to sue which benefits the city and Arthur Luis Steel. The City expects to see Arthur Luis Steel pull permits within the next month. The covenant not to sue prevents EPA from suing either the City or Arthur Luis Steel. The site plan for Arthur Luis Steel shows a third addition. Arthur Luis Steel has also moved the administrative staff from Ashtabula to Geneva. The City anticipates 24 to 25 new jobs in addition to the administration staff.

Motion by Tim Miller, seconded by Howard Anderson to declare Resolution 3284 an emergency measure. Roll call, 7 yeas. Motion by Susan Hagan, seconded by Howard Anderson that the rule of law requiring certain Resolutions be read at three separate meetings be waived and

suspended and Resolution 3284 be placed on the final roll for passage. Roll call, 7 yeas. Roll call on passage, 7 yeas. Resolution No. 3284 duly passed.

**Resolution No. 3285.** A Resolution Approving Settlement of Claims Relating to Tap-in Fee Agreement, and declaring an emergency.

Jeff Piortrowski stated that the Section 2 of the Resolution will be revised to take out the words “open to the public”.

Mr. Per Due states that he does not support this Resolution. Someone that breaks a contract should not benefit from the bargain. Spire owes over \$900,000 to the City of Geneva. Mr. Per Due does not believe the City should give Spire a fifty percent (50%) break. They have offered JEDD money. The City may be back in this same situation in the future. There are plenty of people owed money. Mr. Per Due does not feel citizens should have to pay. This is a slippery slope; hold out a year or two and the price will go down.

Mr. Per Due commended Lauren Gardner and James Pearson who worked diligently.

Spire will get a break of \$500,000.

When someone breaks a contract, that person pays the total attorney fees. For the Spire to pay one-half of the attorney fees and the City to pay one-half of the attorney fees for Spire, Mr. Per Due cannot go along with it.

Mr. Per Due stated that he commended the Administration but Mr. Per Due cannot support it.

Motion by Howard Anderson, seconded by Susan Hagan to declare Resolution 3285 an emergency measure. Roll call, 6 yeas. 1 nay. Motion by Susan Hagan, seconded by Howard Anderson that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution 3285 be placed on the final roll for passage. Roll call, 6 yeas. 1 nay. Roll call on passage, 6 yeas. 1 nay. Resolution No. 3285 duly passed.

**Resolution No. 3286.** A Resolution Authorizing the Acceptance of the Bid of United Survey, Inc. for the Van Epps Sewer Relining Project, and declaring an emergency.

Motion by David Per Due, seconded by Susan Hagan to declare Resolution 3286 an emergency measure. Roll call, 7 yeas. Motion by Tim Miller, seconded by Susan Hagan that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution 3286 be placed on the final roll for passage. Roll call, 7 yeas. Roll call on passage, 7 yeas. Resolution No. 3286 duly passed.

#### **City Manager’s Report –**

Mr. Pearson stated that he did not have anything further. Projects are moving along.

**Unfinished Business** - None.

**New Business** - None.

**Payment of Bills** –

City is responsible for paying Item 5 for the underground oil well found.

On the Payment Bills June 7 through June 13<sup>th</sup> the municipal building natural gas bill was \$352.06. Mr. Per Due asked if this was high. Mr. Pearson will look into it, it may be an estimate. The bill is for the entire municipal complex.

The Summer Concert cost of \$150.00 comes out of the Community Development Fund.

Tim Mills was paid \$699.00 for main break repairs. This was not put out to bid as it is under the \$50,000 bid limit.

The \$2,000 for softball uniforms was first donated and then paid.

Mr. Per Due stated that the Street Department and Wastewater Department use a lot of supplies from Raymond Builders.

The \$825.00 to Comfort Supply was for preventative maintenance.

The \$542.42 charge was for Emergency Monthly Housing Assistance reimbursed through the CHIP Grant.

**Committee Reports** - None.

**Citizens** – None.

Council meeting adjourned at 8:00 p.m.

Recorded by: Phyllis Dunlap  
Clerk of Council

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President of Council

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Clerk of Council