

City of Geneva Council Work Session – July 27, 2009

Rodger Fuller called the work session to order at 7:17 p.m.

Council members present were Beckwith, Buskirk, Cordova, Ebersole, Fuller, and Latimer. Piotrowski absent.

Crystal Latimer stated that the Shade Tree Committee will be planting eleven trees this fall at North Nearing Circle where many trees were lost. Notices will be sent to the property owners. Other areas in need of trees will be looked at for the next spring planting.

Rodger Fuller asked if there is any way of knowing where the most trees have been cut down. Jennifer Brown replied that the City has a list of the trees that were taken down and mentioned that Eastwood and Centennial Streets came to mind.

Crystal Latimer stated that the Shade Tree Commission was also considering the Vine Street area.

Crystal Latimer asked when the Downtown Street Scape Project will begin.

Jennifer Brown replied that the intention was to begin after the Grape Jamboree. Documentation was just signed for the engineering of that project to begin.

Crystal Latimer affirmed that Council agreed to have greenery added to the design and the Shade Tree Commission should be notified as soon as that project begins.

Council Member Jeff Piotrowski arrived at 7:21 p.m.

Jennifer Brown asked if the tree inventory conducted by the Shade Tree Commission shows streets that have lower numbers of trees on average than are typical.

Crystal Latimer replied that the inventory is not complete, but they will use calculations from the areas that were inventoried so far. Ms. Latimer acknowledged that Eastwood Street hardly has any trees on the right of ways.

Crystal Latimer added that taking care of the newly planted trees should be a priority and suggested that directives be given to the Street Department to take care of that.

Bruce Beckwith suggested that the newly planted trees be watered when the equipment is out to water the flowers downtown.

Bruce Beckwith asked if the loan amounts in tonight's legislation are in line with the original stimulus amounts.

Jennifer Brown replied the amounts are not in line and explained that you can apply for more loan dollars to secure them up front in the loan application. If the loan dollars are not used, they can be given back.

Gary Hydinger explained that the original amount for the Lab Building Project was \$420,000.00 and is now \$695,000.00. The original Elm Street Project amount was \$360,000.00 and now is at \$477,000.00. Mr. Hydinger affirmed that it is better to request all of the money up front that may be needed, rather than bid low and try to go back for more money.

Bill Buskirk agreed that it is best to go for the larger amount, especially not knowing how the bids will come in.

Work session adjourned at 7:30 p.m.

Recorded by: Laurie Donatone
Clerk of Council

MINUTES

City of Geneva
Council Meeting
July 27, 2009
7:30 p.m.

Roll Call – Beckwith, Buskirk, Cordova, Ebersole, Fuller, Latimer and Piotrowski.

Pledge of Allegiance to the Flag was said and prayer was offered by Reverend J.J. Stewart of the Park Street Christian Church.

Motion by Beckwith, seconded by Cordova to accept the minutes of the July 13th, 2009 Council Meeting. Roll call, 5 yeas, 2 abstains – Ebersole and Latimer.

Citizens – Citizens were present along with representatives from the Star Beacon and Gazette.

Department Presentation – Police – Chief Dan Dudik

Chief Dudik stated that a recent complaint from Lowell Beaudoin regarding coyotes / foxes running through his neighborhood led him to examine the lack of animal control in the City. Chief Dudik explained the following:

- Coyotes / Foxes – The Ohio Department of Wildlife has provided a current list of nuisance trappers that are licensed by the state. The home owner would hire a trapper at their expense.
- Dogs – There are two pens at the City Garage to hold dogs until the Animal Protective League picks them up and takes them to the County. Each dog costs the City \$75.00. Chief Dudik stated that one of the Dispatchers suggested that the City consider creating an ordinance to charge the owner that fee.
- Roosters – There have been repeated complaints of two roosters running wild. One was aggressive and attacking a child. Officer's tried to stun the rooster, but it was eliminated. The other rooster is passive. A trapper was called, but residents have been caring for the rooster and it is still in the neighborhood.
- Cicada Killers - There is an infestation of Cicada Killers at Cugel Farm and Sawmill. The Street Department got involved and wanted approval for 100 gallons of pesticide at the cost of \$800.00 to \$1,000.00. It was found that this responsibility falls back to the home owner.

Chief Dudik explained that this is an enlightenment of what goes on in the City and suggested that Council may want to take a look at how the City deals with nuisance animals. At what point does it become a municipality, City tax payer problem as opposed to an individual property owner problem. Rodger Fuller thanked Chief Dudik for his presentation.

Citizens

Lowell Beaudoin – 160 Raymond Dr., Geneva – Lowell Beaudoin stated that he had chickens when he was a child and affirmed that they are naturally aggressive. Mr. Beaudoin added that he feels the cicada killers should be left alone because nature is doing its job. You will have to deal with too many cicadas if you remove their natural predators. Mr. Beaudoin asked if the City has ever considered allowing residents to have chickens in the City.

Rodger Fuller replied that to his knowledge, the City has not considered allowing chickens in the City and added that he does not feel they are interested in doing so at this time.

Bruce Beckwith asked if there have been any inquiries.

Jennifer Brown replied that there have not been inquiries for urban farming.

Richard Spoor – 88 Chestnut Street, Geneva – Richard Spoor stated that he has a tenant who is operating a child day care out of his rental property. He owns the home and does not want it to

continue. Mr. Spoor added that he spoke to Jennifer Brown who said that she would speak to the Law Director.

Jennifer Brown stated that she spoke to Lauren Gardner about Mr. Spoor's concerns before the Council Meeting. Ms. Brown explained that she has looked into this complaint and after talking to the tenant, does not believe she is operating a home occupation business. The tenant has explained that she is watching her children and relative's children and does not accept money.

Rodger Fuller stated that on behalf of an administrative standpoint, Jennifer Brown has done everything she can do. Mr. Fuller welcomed Mr. Spoor to provide additional information for City Administration's review if it is available.

Bill Buskirk affirmed that in order for the tenant to be in violation of the City Ordinance she would have to be accepting money.

Lauren Gardner agreed and added if you want to run a business in a residential area you have to go through a process. Taking care of children does not qualify as a business, but is a rental situation. Ms. Gardner explained that Mr. Spoor made a complaint to the City stating that he believes there is a home day care taking place in the building that he owns and is renting. City Administration did an investigation to find out whether it is in fact a business. The evidence collected does not support the fact that it is a business. Ms. Gardner affirmed that this is a rental situation and advised Mr. Spoor that it is entirely within his control.

Rodger Fuller thanked Mr. Spoor for his comments.

Items for Consideration of Council

Ordinance 3003 was read, first reading. (AN ORDINANCE AMENDING G.C.O. § 1402.08 REGARDING OWNERSHIP OF SPECIFIC PORTIONS OF SANITARY SEWER CONNECTIONS).

Resolution 3107 was read, first reading. (A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF GENEVA FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES KNOWN AS THE ELM STREET PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY).

Bill Buskirk explained that this ordinance was discussed during tonight's work session regarding stimulus dollars – a portion is grant and a portion is loan. This ordinance is the agreement for the loan portion.

Motion by Beckwith, seconded by Ebersole to declare Resolution 3107 an emergency measure.

Roll call, 7 yeas. Motion by Ebersole, seconded by Latimer that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution 3107 be placed on the final roll for passage. Roll call, 7 yeas. Roll call on passage, 7 yeas. Resolution 3107 duly passed.

Resolution 3108 was read, first reading. (A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF GENEVA FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES KNOWN AS THE LAB BUILDING PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY).

Bill Buskirk explained that the original amount for the Lab Building Project was \$420,000.00 and is now \$695,000.00. It was determined through discussions with WPCLF that it is easier to attempt to retain the loan dollars up front and than make a determination on the scope of the project.

Crystal Latimer affirmed that the City is not obligated to that amount.

Bruce Beckwith stated that he noticed repayment specifically comes out of the Wastewater Fund and asked if only Wastewater will use the lab building.

Jennifer Brown explained that they are looking at making office space for the Water Department as well. Ms. Brown added that she is not sure it has been finalized that the Wastewater Facility is the only one paying into the lab building.

Gary Hydinger affirmed that the intent was to create a space large enough for the Water Department to use for office space.

Bill Buskirk added that they will address as many needs as they can within budget constraints.

Motion by Piotrowski, seconded by Beckwith to declare Resolution 3108 an emergency measure.

Roll call, 7 yeas. Motion by Ebersole, seconded by Beckwith that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution 3108 be placed on the final roll for passage. Roll call, 7 yeas. Roll call on passage, 7 yeas. Resolution 3108 duly passed.

Assistant City Manager's Report – Jennifer Brown

- The Fire Department will begin flushing hydrants on Rt. 84 tomorrow.
- There will be a meeting on August 12th regarding the OPWC Projects. The City will receive information as to the status of the 100% bond projects – Liberty St. and the 2nd portion of Ansel Rd.

Bruce Beckwith asked if that money is approved, will it be used this term for Ansel Rd.

Jennifer Brown replied that she was told they would be able to use the money this term. Ms. Brown explained that the dollars asked for are turn back dollars from communities that didn't do their OPWC Projects.

Unfinished Business - None

New Business - None

Payment of Bills – No questions

Committee Reports

Bill Buskirk announced that a Utilities Committee Meeting has been scheduled to be held prior to the August 10th Council Meeting to discuss Storm Water Utility.

Phil Cordova informed Gary Hydinger that an e-mail was received from Ed Brashear stating that the GaREAT Board will not have information ready for the meeting scheduled on Wednesday. They would like to conduct an economic impact study and will reschedule that meeting.

Citizens – None

Council meeting adjourned at 8:05 p.m.

Recorded by: Laurie Donatone
Clerk of Council

President of Council

Clerk of Council