

MINUTES
City of Geneva
Council Meeting
August 8, 2022
6:00 p.m.

Mr. Butera opened the Council Meeting at 6:00 p.m.

Roll Call – Mario Butera, Robert Rosebrugh, Jeffrey Griffiths, James Baehr, John Barbo, and William Baker

Absent – Philip Cordova

Pledge of Allegiance to the Flag was said and prayer was offered by Phyllis Dunlap, Clerk of Council.

Motion was made by James Baehr to approve the minutes of the July 11, 2022 council meeting, seconded by Jeffrey Griffiths. Roll call, 5 yeas, (Butera, Griffiths, Baehr, Barbo, Baker), 1 abstention (Rosebrugh). Motion duly passed.

Presentation – Gary Pasqualone, Esq., City Solicitor.

Mr. Pasqualone prosecutes criminal charges filed by the Police Department. Felony charges are handled by the County Prosecutor's Office.

Mr. Pasqualone is in Court on Tuesday and Wednesday. Cases range from two to three a day, to seven or eight a day. Complaints that are filed with the Court by the Police, Income Tax and Zoning Departments. The majority of the cases are traffic related of which the majority of those are driving under suspension. If the defendant becomes current, the complaint is amended to no operator's license violations, a \$175.00 file as opposed to a \$250.00 fine for being under suspension. Seventy-five percent (75%) of cases are handled by the public defender's office.

Sandy Evangelista handles providing discovery documents to the defendants.

The Solicitor position deals with Mr. Varquette and Department Heads. There is presently a request for annexation. Mr. Pasqualone also handled the easements for the State Route 534 and Pleasant Ave. project and has does some civil work behind the scenes.

Mr. Pasqualone provided an update on the cases pending with regard to Zoning. The goal is compliance. For Income Tax the goal is to get the tax paid.

Mr. Griffiths requested that data on how many cases were managed each month over the last two years be provided to Council. Mr. Griffiths would like to see if there are any trends. Also, a breakdown of cases versus work with the City offices.

Mr. Pasqualone stated that the number of cases fluctuates each week. The majority of his time is spent on prosecution with the balance working with the City offices 60 / 40. The goal is to get

people to comply when it comes to zoning and income tax complaints. With regard to licenses, the Court would like see them get their license back.

Citizens:

Emmett Lamb, age 5, presented Council with a donation of \$79.00 for the Geneva School Supply Give Away event. Emmett earned the \$79.00 by running a lemonade stand “Mr. Sweet Face Lemonade.” Emmett also raised \$120 for Saving Souls Dog Rescue and \$100 for Missionary Wheels – People Church.

David PerDue
156 Orchard St., Geneva, Ohio

Mr. PerDue expressed concerns with parking construction equipment on Old Orchard Street as well as three huge trailers, one of which is parked on the sidewalk.

Mr. PerDue also inquired with regard to the Fireworks Ordinance and the enforcement of it.

Mr. PerDue also inquired about the old gas station and the Warner Building. During his time on Council the goal was to tear down the old gas station and use the property for parking. It has been ten or fifteen years and the gas station remains. The Warner Building is an isore. Improving the aesthetics of the City is needed. Cars are parked at the auto body shops for two to four months, they should only be there a week or two. If the parts are not available, they should come back.

Mr. Varkette stated that the City was unaware of the trailer and will evaluate the code. The fireworks ordinance is tough to enforce as it is hard to determine where the fireworks are. The City has secured funding to raise the old Benson Gas Station and the Warner Building. There is an individual who does restorations for a living who is looking at the Warner Building; however, others have expressed interest and nothing has materialized.

Ron Stetler
Commander of the VFW

Mr. Stetler thanked the Safety Forces for assisting in a driveway call for a Veteran with ALS. The VFW called dispatch with the request at 9:00 a.m. for a step off at 10:00 a.m. The Geneva Police Chief, Police Department, Fire Department, Geneva-on-the-Lake Police and Fire all attended. The Safety Forces paid homage to a veteran that served. Mr. Stetler stated that the Post is grateful.

Items for Consideration of Council:

Resolution No. 3547. A Resolution Authorizing the City Manager to Execute a Contractual Agreement with the Laborers’ International Union of North America Public Works Employees Local #860, and declaring an emergency.

Motion by Jeffrey Griffiths, seconded by William Baker that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution No.

3547 be placed on the final roll for passage. Roll call, 6 yeas (Butera, Rosebrugh, Griffiths, Baehr, Baker, Barbo). Motion by John Barbo to declare and pass Resolution No. 3547 as an emergency measure, seconded by James Baehr. Roll call, 6 yeas (Butera, Robert Rosebrugh, Griffiths, Baehr, Baker, Barbo). Roll call on passage, 6 yeas (Butera, Rosebrugh, Griffiths, Baehr, Baker, Barbo). Resolution No. 3547 duly passed.

City Manager Report:

Carl Vincent was one of the key labor representatives working with the City on the Local 860 Union Contract.

Mr. Varckette introduced Ms. Noell Sivertsen, the City’s new Zoning Inspector.

Included in Council’s packet is the West Main Street schedule. There are a lot of moving parts. The City anticipates having a Notice to Proceed in early December.

Gardiner Energy is completing a re-evaluation of the work that they proposed in December of 2021. There has been a lot of changes with regard to parts of the proposals. Mr. Varckette will re-engage with banks once the City receives a number from Gardiner. Mr. Varckette hopes to have information for Council at the September 12th meeting.

The Pleasant Ave. / State Route 534 intersection widening project will have to be re-bid. The bid received was more than 10% over the estimate. The new estimate or the project is \$117,500. This project has be completed prior to the West Main Street project. The bid opening on the re-bid is scheduled for August 17, 2022. Mr. Varckette would like to schedule a special council meeting for August 22nd if a good bid is obtained for the project.

The 2021 Audit is 50% complete. The Auditor has run into staffing issues. They will be on site next week and have stated they will be done by the end of the month.

Mr. Varckette is the Council appointed representative on the ACCA Board. Mr. Varckette has appointed Jennifer Hawkins to represent him on the Board in his absence.

The Planning and Zoning Code update will resume once the City has appointed the two new members. The City has received interest from a few individuals.

The equipment needed to record and post council meetings is still on order.

Unfinished Business – None.

New Business - None.

Payment of Bills – None.

Committee Reports – None.

Citizen – None.

Jeffrey Griffiths made a motion to adjourn to executive session at 6:48 p.m. to discuss personnel, compensation of a public employee. James Baehr seconded the motion. Roll call on passage. 6 yeas (Butera, Rosebrugh, Griffiths, Baehr, Barbo, Baker).

James Baehr made a motion to reconvene at 7:37 p.m. Robert Rosebrugh seconded the motion. Roll call on passage. 6 yeas (Butera, Rosebrugh, Griffiths, Baehr, Barbo, Baker).

William Baker made a motion to adjourn.

John Barbo seconded the motion

Council meeting adjourned at 7:37 p.m.

Recorded by: Phyllis Dunlap
Clerk of Council

President of Council

Clerk of Council