

MINUTES
City of Geneva
Council Meeting
June 27, 2022
5:30 p.m.

Mr. Butera opened the Council Meeting at 5:30 p.m.

Roll Call – Mario Butera, Philip Cordova, Robert Rosebrugh, Jeffrey Griffiths, James Baehr, and John Barbo

Absent – William Baker

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

Items for Consideration of Council:

Ordinance No. 3309. An Ordinance to Amend the 2022 Budget through Appropriations and Fund Transfers, Attached Hereto and Marked Exhibit “A”, and declaring an emergency.

Motion by John Barbo, seconded by James Baehr that the rule of law requiring certain Ordinances be read at three separate meetings be waived and suspended and Ordinance No. 3309 be placed on the final roll for passage. Roll call, 6 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Barbo). Motion by Philip Cordova to declare and pass Ordinance No. 3309 as an emergency measure, seconded by Jeffrey Griffiths. Roll call, 6 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Barbo). Roll call on passage, 6 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Barbo). Ordinance No. 3309 duly passed.

Resolution No. 3540. A Resolution Authorizing all Actions Necessary to Accept Northeast Ohio Public Energy Council (NOPEC) 2022 Energized Community Grant(s) funds, and declaring an emergency.

Motion by Philip Cordova, seconded by James Baehr that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution No. 3540 be placed on the final roll for passage. Roll call, 6 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Barbo). Motion by James Baehr to declare and pass Resolution No. 3540 as an emergency measure, seconded by Jeffrey Griffiths. Roll call, 6 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Barbo). Roll call on passage, 6 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Barbo). Resolution No. 3540 duly passed.

Resolution No. 3541) A Resolution Opting-Out of H.B. 172 and Reaffirming the Ban on Discharging, Igniting or Exploding Fireworks in Geneva City, and declaring an emergency.

Mr. Pasqualone prepared the legislation in response to the State of Ohio enacted legislation that will take effect on July 1, 2022 that allows the public to set off fireworks on certain dates including the 2nd, 3rd, 4th and 5th of July. The surrounding communities have opted out. Chief Camper is favor of opting out.

Discussion regarding the need for the emergency. The deadline to opt out of H.B. 172 is July 1st; however, the City can at a later time adopt H.B. 172. By opting out, the City's law regarding fireworks remains in place. The majority of the municipalities surrounding Geneva have opted out, some have modified the legislation.

Mr. Pasqualone stated that he is monitoring State legislation. It was noted that more notice to Council is preferable in order to obtain public input.

Mr. Butera noted that Mr. Baker requested that he be put on the record as not in favor of the emergency passage; however not passing the legislation would lock the City into H.B. 172.

Motion by Jeffrey Griffiths, seconded by Philip Cordova that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution No. 3541 be placed on the final roll for passage. Roll call, 6 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Barbo). Motion by John Barbo to declare and pass Resolution No. 3541 as an emergency measure, seconded by Jeffrey Griffiths. Roll call, 6 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Barbo). Roll call on passage, 6 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Barbo). Resolution No. 3541 duly passed.

Citizen:

Chris Jeppie
336 Vine Street, Geneva, Ohio

Ms. Jeppie continues to have issues with the maintenance of the property located next door to hers. Ms. Jeppie stated that she has contacted various departments both at the City and the County including the City's Zoning Department, the Ashtabula County Health Department and the County Auditor's office with no results.

Mr. Pasqualone stated that noncompliance with property maintenance violations is a criminal offense. The City cannot charge the tenant. The house is held in a bank trust. It is not a rental property. The only party the City can cite is the owner. The owner lives out of State. Mr. Pasqualone stated Ms. Jeppie's best recourse is obtain a lawyer and seek injunctive relief; however, she will have the same issues with serving the owner,

Mr. Pasqualone stated that property maintenance violations which are not cured come down to criminal actions. The City has five or six cases that are pending. The City can go after the owners when the owner is local. The City has limited options. The City cannot repair someone's house and assess it to their taxes.

KeyBank's owner is out of state.

In regard to response by the City to Ms. Jeppie's concerns, Mr. Pasqualone stated that he had talked to Mr. Dunlap, at length regarding this. Mr. Dunlap has spoken with Ms. Jeppie on numerous occasions.

Mr. Griffiths stated that the ODNR NatureWorks Grant applications are due July 15, 2022. The allocation available for Ashtabula County for 2022 is \$16,000. Mr. Griffiths is looking at potentially applying for bike racks and possibly a bike changing station. The City will need to pass a resolution authorizing the filing of the application at the July meeting.

Mr. Griffiths stated this is the last week to nominate a tree for most valuable tree.

WKKY has made an application to increase the size of their tower from 75 feet to 150 feet. The City has a consultant that handles these applications. Mr. Pasqualone has spoken with the consultant, as has Mr. Dunlap. With Mr. Dunlap's and Mr. Varckette's help the City has waived some of the fees to expedite this process. Mr. Pasqualone has discussed things with the consultant, but has not gotten very far. It appears the City has to go another step with a public hearing. Mr. Pasqualone will review what exactly is required. WKKY feels that the City is stalling on this issue. WKKY's attorney, Kyle Smith has tried to contact the consultants but has not been successful.

Mr. Pasqualone stated that he is bringing it to Council's attention as Council will need to make a decision.

It is more than an administrative function as the City has to hold a public hearing. Mr. Varckette and Mr. Pasqualone and Mr. Dunlap and Mr. Pasqualone have spoken and made some concessions for WKKY. WKKY is threatening to leave if they are unable to get this done. Mr. Pasqualone does not believe the consultant has been responsive.

The consultant did contact Nick Dunlap today, hopefully this process can move forward.

Philip Cordova made a motion to adjourn.

Council meeting adjourned at 6:37 p.m.

Recorded by: Phyllis Dunlap
Clerk of Council

President of Council

Clerk of Council