

MINUTES
City of Geneva
Council Meeting
August 14, 2023
6:00 p.m.

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

Roll Call – Mario Butera, Philip Cordova, Robert Rosebrugh, James Baehr, William Baker, John Barbo

Pledge of Allegiance to the flag was said and prayer was offered by Pastor Randy May, United Methodist Church.

Motion was made by William Baker to approve the minutes of the July 10, 2023 council meeting, seconded by James Baehr. Roll call, 4 yeas, (Butera, Rosebrugh, Baehr, Baker), 2 abstentions (Cordova, Barbo). Motion duly passed.

Motion was made by William Baker to approve the minutes of the July 17, 2023 special council meeting, seconded by John Barbo. Roll call, 5 yeas, (Butera, Cordova, Rosebrugh, Baehr, Baker), 1 abstention (Barbo). Motion duly passed.

Presentation – Legal Department – Gary Pasqualone, Esq. Presenting

Mr. Pasqualone is both the City’s Prosecutor and the City’s Solicitor. Prosecution cases involve traffic violations and some criminal, all misdemeanors. Solicitor cases involve city tax collections and zoning violations. The goal is to have people pay the tax. Ninety percent of the people that come to court will agree to enter into a payment pre-trial diversion for six months, case dismissed at their cost. For zoning the goal is to have the property owner clean up the property.

Mr. Pasqualone handles misdemeanors, the county prosecutor handles the other cases.

Cases handled in July, 39, in August, 31.

As the solicitor, Mr. Pasqualone confers with Mr. Varckette and Department Heads. There are a number of civil cases that Mr. Pasqualone is handling. Mr. Pasqualone provided a summary.

Mr. Jeffrey Griffiths arrived at 6:08 p.m.

Citizens:

Pastor Randy May
United Methodist Church

Erie Street is a one-way, one lane street. People attending the farmers market and others are not familiar with the street and are turning the wrong way out of the parking lot. Pastor May requested that an additional one-way sign be installed. Mr. Varckette will look into it.

City Manager Report:

West Main Street Infrastructure Project – The timeline has been updated. The City is working to get this project back out to bid. The project has been submitted back to ODOT for their review and approval. Once approved the City plans to advertise. The City hopes to have a recommendation to Council in September. The City will then submit the bid results and final numbers to DEFA for approval by OWDA in December. It is anticipated that the project will have a spring start.

The West Main project began over a year ago. Our construction manager, Mannik & Smith Group's proposal was submitted and accepted in May of 2022. Mannik & Smith is in the process of reviewing and possibly revising their cost proposal for construction inspection and construction administrative services.

A number of streets have been targeted for the Chip-Fog-Seal program which will begin this week, weather permitting.

The OPWC Round pre-application for the pavement improvements on Austin Road from Cugal Farms Road to the township/city limits has been recommended to proceed to a full application. The application requests \$40,000 in grant funding, \$50,000 in 0% loan and \$48,200 local share.

The time to submit proposals for event planning services has ended and the City is in the process of setting up interviews.

The stormwater management request for proposal is expected to be advertised in early September. The City hopes to have a recommendation to Council by the end of the year.

The City is in receipt of a Petition for Annexation from Generations Behavioral Health (GBH) to annex two parcels. The property is just west of and also behind their primary facility at the corner of West Street and North Ridge Road. Mr. Pasqualone is assisting with the annexation process including notifying the surrounding property owners and the Township. GBH has not indicated what they will use the property for. Part of the facility is a lockdown facility. The commissioners have set the public hearing for October 10, 2023.

Mr. Varckette went over the timeline for the 2024 Budget process. Mr. Varckette proposed holding the Finance Committee meeting for the 2024 Budget the week of November 6th with two readings of the budget; November 13 and 27th. This schedule will allow the City to utilize the third quarter revenue and expenses which allows more accurate numbers. The closer to the end of the year the better carryover numbers. Mr. Griffiths stated concern about the timeline. It was noted that a special meeting could be scheduled on November 30th if additional review time is needed.

Mr. Varckette has seen the compiled ideas that were presented for the Appalachian Community Grant. Mr. Varckette will follow-up.

Mr. Baker asked if the summer updates are put on the City's website. An update as to how the City is doing.

Mr. Rosebrugh suggested that the City extend the planned Centennial paving from East Main to Eastlawn be extended to Eastwood Street. Mr. Varkette will look into it.

Items for Consideration of Council:

Ordinance No. 3336. An Ordinance to Amend the 2023 Budget through Appropriations and Fund Transfers, Attached Hereto and Marked Exhibit “A”, and declaring an emergency.

Motion by James Baehr, seconded by John Barbo that the rule of law requiring certain ordinances be read at three separate meetings be waived and suspended and Ordinance No. 3336 be placed on final roll for passage. Roll call, 7 yeas (Butera, Cordova, Griffiths, Baehr, Baker, Rosebrugh, Barbo).

Motion by John Barbo to declare and pass Ordinance No. 3336 as an emergency measure, seconded by William Baker. Roll call, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo).

Roll call on passage, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo).

Ordinance No. 3336 duly passed.

Resolution No. 3582. A Resolution Declaring it Necessary to Improve the Streets in the City of Geneva by Supplying Electric Lighting, and declaring an emergency.

Motion by Robert Rosebrugh, 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. 3582 be placed on final roll for passage. Roll call, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo).

Motion by Philip Cordova to declare and pass Resolution No. 3582 as an emergency measure, seconded by Jeffrey Griffiths. Roll call, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo).

Roll call on passage, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo). Resolution No. 3582 duly passed.

Resolution No. 3583. A Resolution Authorizing the Execution of “Then and Now” Certificates by the Director of Finance for Purchases, and declaring an emergency.

Motion by William Baker, 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. 3583 be placed on final roll for passage. Roll call, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo).

Motion by James Baehr to declare and pass Resolution No. 3583 as an emergency measure, seconded by John Barbo. Roll call, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo).

Roll call on passage, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo).

Resolution No. 3583 duly passed.

Resolution No. 3584. A Resolution Stating that City Services Shall be Provided to the Parcels Consisting of .65 Acres and .276 Acres at 994 North Ridge Road W., Geneva Township, Ashtabula County, Ohio Both Owned by GBH Geneva Property LLC, within Thirty (30) Days of the Approval of Annexation by the Ashtabula County Commissioners, and to declare an emergency.

Mr. Pasqualone stated that this Resolution does not include infrastructure that is not there, just to tap into infrastructure that is currently present.

Motion by Philip Cordova, seconded by James Barbo that the rule of law requiring certain resolutions be read at three separate meetings be waived and suspended and Resolution No. 3584 be placed on final roll for passage. Roll call, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo). Motion by John Barbo to declare and pass Resolution No. 3584 as an emergency measure, seconded by William Baker. Roll call, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo). Roll call on passage, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo). Resolution No. 3584 duly passed.

Unfinished Business – None.

New Business:

Mr. Barbo stated the owners of the downtown brewery have requested to have a Food Truck park in front of their establishment for, at the start, one to two hours a month. The truck will take up three diagonal spaces. Mr. Pasqualone will talk with Chief Camper. A permit may be required.

Mr. Griffiths stated that the Soccer Board would like to increase their Board to nine members from seven members. Mr. Griffiths requested that an Ordinance be prepared for the first meeting in September. This ordinance will have three readings.

Mr. Rosebrugh inquired as to ordinances regarding roosters.

Mr. Barbo stated that the Fall Sports Rally was postponed to Wednesday at Memorial Field.

Mr. Rosebrugh stated that a resident was required to obtain a permit to replace an existing handrail. Question was asked when a permit is required and the definition of maintenance vs improvement. Obtaining a permit for an improvement requires preparing a drawing and taking it to Jefferson in addition to the \$35.00 fee. Mr. Pasqualone stated that residents can contact his office if there are questions regarding repair versus improvement.

Payment of Bills:

Questions regarding payment of bills. Mr. Griffiths stated that answers provided with regard to questions on the payment of bills should be provided to the full council.

Committee Reports:

Mr. Barbo and Mr. Griffiths requested a Planning Committee meeting to discuss ideas for the use of ARPA funding; possibly leveraging the funds for additional funding. Mr. Varckette stated that funds are being held until a good bid has been received on the West Main Project and the results of the Stormwater Management Plan RFP. Mr. Varckette noted that there are specific eligibility rules for ARPA funding. ARPA funds must be committed by December of 2024 and expended by December of 2026.

Citizen – None.

At 7:05 p.m. William Baker made a motion to adjourn to Executive Session pursuant to section 121.216 to confer with Council about pending or potentially pending or imminent court action. John Barbo seconded the motion. Roll call on passage, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo). Motion dully passed.

At 7:30 p.m. William Baker made a motion to reconvene the council meeting. Robert Rosebrugh seconded the motion. Roll call on passage, 7 yeas (Butera, Cordova, Rosebrugh, Griffiths, Baehr, Baker, Barbo).

William Baker made a motion to adjourn

Jeffrey Griffiths seconded.

Council meeting adjourned at 7:30 p.m.

Recorded by: Phyllis Dunlap
Clerk of Council

President of Council

Clerk of Council