

Village of Geneva on the Lake
Regular Meeting of Council
Minutes of Meeting 6/21/2021

Mayor Bennett called the meeting to order at 7:01 PM.

Fiscal Office Kimberly McKinley performed roll call and the following council members were present: Jennifer Allison, Matt Caudill, Cindee Dudeck, Gary Himes, P.J. Macchia and Donald Woodward. Also present were Village Administrator Jeremy Shaffer, Solicitor Nicholas Brown, Fire Chief Chris Craft and Interim Police Chief Kyle Cawley.

The Pledge of Allegiance was recited; a moment of silence followed.

MINUTES TO THE PREVIOUS MEETING: Macchia made a motion, seconded by Allison to approve the minutes of the May 17, 2021 regular council meeting and the June 14, 2021 special council meeting. The motion passed with all in favor. Hearing no corrections, the minutes were approved as presented.

PERSONS APPEARING BEFORE COUNCIL: A sign-in list was distributed. Attendees included Casey Kozlowski - Ashtabula County Commissioner, David Thomas- Ashtabula County Auditor, Ed Spoor-Harpersfield Township Trustee, Tim Mills – Geneva Township Trustee & President CVB, Stephanie Siegel – Ashtabula County CVB, and Holly Mayernick -Convention Facilities Authority.

Mayor Bennett understands there are many questions and concerns about HB 110. Mayor Bennett was disappointed that none of the stakeholders were contacted to have a discussion on an issue that directly effects his community. The community has created a public/private partnership with Delaware North and he would hate to see big government take over the lodge without local control. The community has worked hard in bringing up the value of property in the area and he would hate to values decline.

Eric Franz would encourage the decision to be driven by facts and the county needs to understand the implications in turning the lodge over to the state. There are two differences in operating the facility. One is operated by a business entity for profit, as is how the lodge is currently operated and the other is a taxpayer entity. A taxpayer amenity is operated with low rates and low investment to draw people into the state park system. Maumee Bay, the crown jewel of the state park system, was a facility that DNC aimed to compete with. The best performance year was the year Maumee Bay opened; a downward trend then followed. One reason is that 17% of all revenue go to the state for future upkeep. Also, because of the low lodging rates along with caps on sale of services, the state park facilities cannot keep pace with the for-profit lodge. The Lodge at Geneva on the Lake is an economic development tool. This lodge may face the same challenges as Maumee Bay if it would become a taxpayer entity. The county should re-evaluate the impact on the general fund. The negative impact on the general fund is a lot less than the positive impact the lodge has had in the surrounding community. Councilor Woodward added that the GOTL lodge aspired to be second to Maumee Bay. The Lodge at Geneva on the Lake has been number one for last ten years. Councilor Caudill, after some research, found cabins at Maumee Bay to be \$50 per night whereas cabins west of marina are listed at \$110 per night. The rate to rent a cabin at the lodge this weekend would cost \$499. Councilor Woodward added that Geneva on the Lake has lodging to fit everyone's budget, but before the lodge was built, the area did not have any upscale lodging facilities. Many people in the room would not have invested in their properties if the lodge didn't exist. The lodge was the tool that has driven tourism to be number one in growth over the last fifteen years. Other communities, including Conneaut and Ashtabula Harbor district, have concerns with the proposed transfer of the lodge.

Village Administrator Jeremy Shaffer elaborated on four areas of concerns: Notification, Community Investment & Economic Development, Community Partnership and ODNR Park Management & Investment.

Ashtabula County Commissioner Casey Kozlowski explained that the county supports the lodge and tourism and will continue to do so in the future. The purpose of transferring the debt and control to the state is to free the county of the debt burden.

Ashtabula County Auditor David Thomas explained that the taxpayers still owe 13.6 million dollars on the lodge. A 2013 series bond with a balance of 2.3 million is paid with economic funds derived from lodge profit, Ashtabula County Convention and Visitors Bureau (ACCVB), Geneva on the Lake Village and Geneva on the Lake CVB, the Convention Facilities Authority (CFA) and rent proceeds from cabins and canopy. Over 1 million dollars was generated in 2020. The second bond has a balance of 10.8 million and is paid by inside millage by all county taxpayers; appropriately \$1.00 per \$1000 in valuation.

Commissioner Kozlowski said the county may be forced to refinance the 2020 bond in the future because the county may not be able to cover the 1.4 million annual payment. The lodge has been able to make various investments in the last few years with the implementation of the resort fee. The resort fee is paid by the consumer on every room rented. The CFA as pledge 90% of proceeds to go toward the debt fee with the remaining 10% going toward the maintenance of the grounds. At the time the lodge there was many proponents/opponents. The county lease ends in 2040 and once the lodge is debt free the property would transfer to state and managed by ODNR. The agreement states that the Director of Natural Services shall enter into an agreement with Ashtabula County to assume ownership and operations of the Geneva Lodge and Conference Center by the end of the year. The agreement would require ODNR to assume the payment of all debt including interest. ODNR would assume the cost of maintenance and operations of the facility. Ashtabula County would be free and clear of any future obligation. Finally, within the state parks fund, there is an appropriation of 3.65 million in the bi-annual budget to assist with the transition cost. Councilor Woodward pointed out that the appropriation is only for two years. Commissioner Kozlowski stated that county would not sign off on the transfer of the lodge without assurances that the facility is operated in a way that everyone has become accustomed to. The agreement will address the concerns that have been discussed including the R/R fund. Instead of the monies going into state fund to be used at any park, the county wants assurances that the monies will be invested here. Ashtabula County Commissioners held a work session via zoom with State Senator O'Brien and State Representative Fowler-Arthur to discuss the state budget; lodge became part of the conversation.

Village Solicitor Nicholas Brown along with Attorney Richard Dana took issue with the word "shall" in the transfer agreement. Ashtabula County Prosecutor has not reviewed agreement.

Many in attendance voiced their displeasure about learning of the proposed transfer from the newspaper. The timing, as businesses are trying to recover from the pandemic, was not appreciated. All stakeholders should have been part of the discussion. Instead, the decision is being rushed through in the state budget bill without any consideration for the ramifications. Local business owners, along with local and tourism officials feel the decision to transfer operations to ODNR will diminish the reputation of the facility and impact tourism. Local government officials may have been able provide financial assistance if village was able to enact a resort tax similar to Put-in-Bay. Councilor Woodward requested that the bill be pulled so that all parties involved may be part of the discussion. Former State Representative Patterson suggested all parties get together, while acknowledging the concerns of all parties, to address the issues and resolve through compromise.

PAYMENT OF BILLS: Macchia made a motion, seconded by Allison to approve the payment of bills. The motion passed with all in favor.

Council reviewed reports from the Mayor for the month of May.

POLICE CHIEF REPORT: Interim Chief Cawley provided a written report for the month of May.

WORK SESSION REPORT: Fiscal Officer provided a report of the meeting held on June 14, 2021.

FIRE REPORT: The department provided a written report on fire & ambulance calls, and hour statistics for the month of May.

GOLF REPORT: Report provided for month of May.

ADMINISTRATORS REPORTS: Jeremy Shaffer provided a summary on his written report for May. Report included Lake Erie water levels, a Zoning, Street, WWTP and Golf Course report. Village was awarded a ODNR Emergency Erosion Assistance Grant for the east side of Geneva Township Park.

APPOINTMENTS and CONFIRMATIONS: None

OLD BUSINESS: None

Woodward made a motion, seconded by Macchia to go out of order to consider Resolution 2021-47. The motion passed with all in favor.

RESOLUTION 2021-47: A RESOLUTION DECLARING THE VILLAGE OF GENEVA-ON-THE-LAKE'S OPPOSITION TO SENATOR SANDRA O'BRIEN'S PROVISION IN THE OHIO BUDGET TO PLACE THE LODGE AT GENEVA-ON-THE-LAKE UNDER THE CONTROL OF THE OHIO DEPARTMENT OF NATURAL RESOURCES. Woodward made a motion, seconded by Macchia to amend Resolution 2021-47 by adding that the Village of Geneva on the Lake requests sections 715.20 and 343.30 be immediately pulled from Sub. H.B. No. 110. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-47. The motion passed with all in favor.

ORDINANCE 2021-36: AN ORDINANCE DETERMINING TO PROCEED WITH IMPROVING THE FOLLOWING STREETS BY SUPPLYING STREET LIGHTING, AND TO LEVY ASSESSMENTS FOR SUCH LIGHTING. Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-36. The motion passed with all in favor.

ORDINANCE 2021-37: AN ORDINANCE AUTHORIZING TRANSFER FROM STREET LEVY TO STREET CAPITAL FOR OUTFALL PROJECT. Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-37. The motion passed with all in favor.

ORDINANCE 2021-38: AN ORDINANCE AMENDING 2021 APPROPRIATIONS IN VARIOUS DEPARTMENTS. Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-38. The motion passed with all in favor.

ORDINANCE 2021-39: AN ORDINANCE APPROVING THE 2021 COUNTY TAX BUDGET, AND DECLARING AN EMERGENCY. Macchia made a motion, seconded by Allison to pass as an emergency. The motion passed with all in favor. Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-39. The motion passed with all in favor.

ORDINANCE 2021-40: AN ORDINANCE AUTHORIZING THE MAYOR TO CLOSE THE SOUTH PARKING LANES ON LAKE ROAD ON THE STRIP FROM 5600 LAKE ROAD TO 5254 LAKE ROAD FROM 3 AM JULY 4, 2021 TO 6 AM JULY 5, 2021 AND DECLARING AN EMERGENCY. Macchia made a motion, seconded by Allison to pass as an emergency. The motion passed with all in favor. Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-40. The motion passed with all in favor.

ORDINANCE 2021-41: AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF ALEXANDER POPE AS A STATE-CERTIFIED FIREFIGHTER/EMT TO THE VILLAGE VOLUNTEER FIRE DEPARTMENT AND DECLARING AN EMERGENCY. Macchia made a motion, seconded by Allison to pass as an emergency. The motion passed with all in favor. Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-41. The motion passed with all in favor.

ORDINANCE 2021-42: AN ORDINANCE APPROVING THE MAYOR'S TEMPORARY APPOINTMENT OF KYLE CAWLEY AS INTERIM POLICE CHIEF RETROACTIVE TO JUNE 4, 2021 AND DECLARING AN EMERGENCY. Macchia made a motion, seconded by Allison to pass as an emergency. The motion passed with all in favor.

Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-42. The motion passed with all in favor.

ORDINANCE 2021-43: AN ORDINANCE AUTHORIZING THE ADMINISTRATOR OR POLICE CHIEF TO APPLY FOR A GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES' (COPS) FY 2021 COPS HIRING PROGRAM (CHP) AND DECLARING AN EMERGENCY. Macchia made a motion, seconded by Allison to pass as an emergency. The motion passed with all in favor. Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-43. The motion passed with all in favor.

ORDINANCE 2021-44: AN ORDINANCE CREATING SPECIAL REVENUE FUND. Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-44. The motion passed with all in favor.

ORDINANCE 2021-45: AN ORDINANCE CONFIRMING ADAM LEFELHOC AS A PERMANENT CLASS I FULL TIME POLICE OFFICER FOR THE VILLAGE OF GENEVA-ON-THE-LAKE, OHIO AND DECLARING AN EMERGENCY. Macchia made a motion, seconded by Allison to pass as an emergency. The motion passed with all in favor. Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-45. The motion passed with all in favor.

RESOLUTION 2021-46: RESOLUTION DECLARING THE NECESSITY TO RENEW AN EXISTING 1.50 MILL TAX LEVY IN GENEVA-ON-THE-LAKE, OHIO FOR THE PURPOSE OF GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES WITHIN SAID VILLAGE OF GENEVA ON THE LAKE, OHIO AND REQUESTING THE ASHTABULA COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE RENEWAL LEVY, AND DECLARING AN EMERGENCY. Macchia made a motion, seconded by Allison to pass as an emergency. The motion passed with all in favor. Macchia made a motion, seconded by Allison to waive the three reading rule. The motion passed with all in favor. Macchia made a motion, seconded by Allison to pass Ordinance 2021-46. The motion passed with all in favor.

NEW BUSINESS: Next work session is scheduled for July 12, 2021 and next council meeting is scheduled for July 19, 2021 at 7:00 p.m. Councilor Allison will not be in attendance for next council meeting.

Allison made a motion, seconded by Macchia to adjourn the meeting. The motion passed with all in favor.

Mayor Bennett adjourned the meeting at 9:08 P.M. Recorded by: Kimberly A. McKinley, Fiscal Officer