

Regular Council Meeting of September 6, 2022

- A. Mayor Duane Pouder opened the meeting at 6:00 P.M.
- B. The Lord's Prayer was waived.
- C. The Pledge of Allegiance was recited.
- D. Roll call was taken with Robin Meinerding, Eric Rust, Chiane Tedrow, Zach Pruitt, and Nicole Whitesel was present. .

- E. **Consent Agenda:**
 - 1. Approval of the Agenda
 - 2. Department Head Reports
 - 3. Accounts Payable with "now and then" August 1-31, 2022
 - 4. Statement of Balances September 1, 2022
 - 5. September 1, 2022 Municipal Income Tax Report
 - 6. September 1, 2022 Debt Report
 - 7. General Fund and Payroll Bank Statements
 - 8. Village Council Minutes August 2022

Councilman Eric Rust motioned to consent of agenda and Councilwoman Nicole Whitesel second. The voice vote passed unanimously.

- F. **Village Citizens:** Village citizen Homer Stammen spoke and stated council needs to keep moving on the progress of the water treatment plant. He stated the water pressure is very low.

Ohio Valley Gas talked on the plan of North Street. They need to install new gas lines down North Street. Councilman Eric Rust stated he is not happy about this plan because before the Village put all the money into North Street Ohio Valley Gas was notified and asked if they had any plans in the near future to do this project so we could hold off on the new street so it wasn't going to get tore up after the village put the money into it and Ohio Valley Gas said they did not. Ohio Valley Gas stated they will try a directional bore to keep from cutting into the new street, but that's not a guarantee they can do it this way. Another possibility is putting a gas line down both sides of the street or in the alley if possible. If they do have to cut into the new street they will have a company come in and cut it out, put in a base they top with cement and black top it. Council asked if the patch work does not hold up, who is responsible for the repairs to it. Mayor Duane Pouder said we will schedule a Street Committee meeting with Ohio Valley Gas and discuss some options.

Ohio Valley Gas also stated they need to install a regulator on the corner of North and Division. It will be a three foot by four foot hole. They will make sure there is a patch over it, even if temporary, before winter.

G. Project:

Darren Reeves from Mote and Associates brought a quote for services to update a 10 year plan. If council signs the contract Mote and Associates will look at all the roads and do the work in two phases, chip seal first and then move on to full depth reconstructions. It will be a couple weeks before they could start and the Village will probably not get anything done this season because it's getting too late in the season and all the paving companies are booked up with other projects.

Chad Henry from Choice One Engineering talked to Council about some of the options Choice One Engineering could offer. He provided an outline of the projects we have discussed. He says the Village should check into RCAP which is a non profit organization that would be very beneficial to the Village for water independence. Chad also stated he would like to be involved in a Street Committee meeting to see what is important to the Village.

Jim Smith from Smith General Contracting stated his crew will start on the Fire Department on Friday September 9, 2022. His crew will be picking up the brick for the Fire Department on Thursday morning, September 8, 2022. The street department building is still waiting on the metal. Once all the studs are up for the walls, Shockney Electric will come in and put in all the electrical boxes in the walls and ceiling. Council agreed to start the Fire Department on Monday, September 12, 2022 because Mr. Smith stated it will take approximately four days to complete. Mr. Smith stated the reason the deadlines have not been met is because supplies have been on backorder. Councilman Eric Rust stated Mr. Smith needs to communicate with the Village and let them know the status of each project.

Mike Bowers from Darke County Economic Development would like to be updated on the projects to see if there is any help they can be to the Village. He would like to see the list Chad from Choice One gave the Village. EDA could open up a little bit of funding to help.

H. Administrative Reports:

None

I. Committee Reports:

Zoning Meeting Minutes were given to Council.

J. Ordinances and Resolutions:

Resolution 2022-05 **“A CERTIFICATE OF RESOLUTION FOR THE VILLAGE OF UNION CITY OHIO SECTION 125 PREMIUM ONLY PLAN YEAR ENDING AUGUST 31, 2023”**, and declaring an emergency. Councilman Zach Pruitt motioned to declare an emergency, suspend the rules and advance by title only and Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

Resolution 2022-05 -Second Reading-**“A CERTIFICATE OF RESOLUTION FOR THE VILLAGE OF UNION CITY OHIO SECTION 125 PREMIUM ONLY PLAN YEAR ENDING AUGUST 31, 2023”**, and declaring an emergency.

Resolution 2022-05-Third Reading-**“A CERTIFICATE OF RESOLUTION FOR THE VILLAGE OF UNION CITY OHIO SECTION 125 PREMIUM ONLY PLAN YEAR ENDING AUGUST 31, 2023”**, and declaring an emergency. Councilman Zach Pruitt motioned to pass Resolution 2022-05 as an emergency and Councilwoman Nicole Whitesel seconded it. The voice vote passed unanimously.

Ordinance 2022-08 **“AN ORDINANCE GOVERNING THE USE AND OPERATIONS OF LOW SPEED/UTILITY VEHICLES/GOLF CARTS WITH THE VILLAGE OF UNION CITY, DARKE COUNTY, OHIO”**, and declaring an emergency. Councilman Zach Pruitt motioned to declare an emergency, suspend the rules and advance by title only and Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

Ordinance 2022-08 **“AN ORDINANCE GOVERNING THE USE AND OPERATIONS OF LOW SPEED/UTILITY VEHICLES/GOLF CARTS WITH THE VILLAGE OF UNION CITY, DARKE COUNTY, OHIO”**, and declaring an emergency.

Ordinance 2022-08 **“AN ORDINANCE GOVERNING THE USE AND OPERATIONS OF LOW SPEED/UTILITY VEHICLES/GOLF CARTS WITH THE VILLAGE OF UNION CITY, DARKE COUNTY, OHIO”**, and declaring an emergency. Councilman Eric Rust motioned to pass Ordinance 2022-08 as an emergency and Councilwoman Nicole Whitesel seconded it. The voice vote passed unanimously.

Ordinance 2022-09 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF EMS CAPTAIN AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, declaring an emergency. Councilman Eric Rust motioned to declare an emergency, suspend the rules and advance by title only and Councilwoman Robin Meinerding seconded. The voice vote passed unanimously.

Ordinance 2022-09 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF EMS CAPTAIN AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, declaring an emergency.

Ordinance 2022-09 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF EMS CAPTAIN AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, declaring an emergency.

Councilman Zach Pruitt motioned to pass Ordinance 2022-09 as an emergency and Councilwoman Nicole Whitesel seconded it. The voice vote passed unanimously.

Ordinance 2022-10 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF EMS LIEUTENANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency. Councilman Eric Rust motioned to declare an emergency, suspend the rules and advance by title only and Councilwoman Chiane seconded. The voice vote passed unanimously.

Ordinance 2022-10 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF EMS LIEUTENANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency.

Ordinance 2022-10 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF EMS LIEUTENANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency. Councilman Zach Pruitt motioned to pass Ordinance 2022-10 as an emergency and Councilwoman Nicole Whitesel seconded it. The voice vote passed unanimously.

Ordinance 2022-11 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF FIRE CAPTAIN AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency. Councilman Eric Rust motioned to declare an emergency, suspend the rules and advance by title only and Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

Ordinance 2022-11 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF FIRE CAPTAIN AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency.

Ordinance 2022-11 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF FIRE CAPTAIN AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency. Councilman Zach Pruitt motioned to pass Ordinance 2022-11 as an emergency and Councilman Eric Rust seconded it. The voice vote passed unanimously.

Ordinance 2022-12 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF FIRE LIEUTENANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency. Councilman Eric Rust motioned to declare an emergency, suspend the rules and advance by title only and Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

Ordinance 2022-12 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF FIRE LIEUTENANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency.

Ordinance 2022-12 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF FIRE LIEUTENANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency. Councilman Eric Rust motioned to pass Ordinance 2022-12 as an emergency and Councilwoman Chiane Tedrow seconded it. The voice vote passed unanimously.

Ordinance 2022-13 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF POLICE CAPTAIN AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency. Councilman Zach Pruitt motioned to declare an emergency, suspend the rules and advance by title only and Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

Ordinance 2022-13 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF POLICE CAPTAIN AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency.

Ordinance 2022-13 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF POLICE CAPTAIN AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency. Councilman Eric Rust motioned to pass Ordinance 2022-13 as an emergency and Councilwoman Nicole Whitesel seconded it. The voice vote passed unanimously.

Ordinance 2022-14 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF POLICE SERGEANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency. Councilman Eric Rust motioned to declare an emergency, suspend the rules and advance by title only and Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

Ordinance 2022-14 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF POLICE SERGEANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency.

Ordinance 2022-14 **“AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF POLICE SERGEANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION”**, and declaring an emergency. Councilwoman Robin Meinerding motioned to pass Ordinance 2022-14 as

an emergency and Councilwoman Nicole Whitesel seconded it. The voice vote passed unanimously.

Ordinance 2022-15 “**AN ORDINANCE ADOPTING THE ORGANIZATIONAL STRUCTURE OF THE POLICE AND FIRE DEPARTMENT**”, and declaring an emergency. Councilman Eric Rust motioned to declare an emergency, suspend the rules and advance by title only and Councilwoman Chiane Tedrow seconded. The voice vote passed unanimously.

Ordinance 2022-15 “**AN ORDINANCE ADOPTING THE ORGANIZATIONAL STRUCTURE OF THE POLICE AND FIRE DEPARTMENT**”, and declaring an emergency.

Ordinance 2022-15 “**AN ORDINANCE ADOPTING THE ORGANIZATIONAL STRUCTURE OF THE POLICE AND FIRE DEPARTMENT**”, and declaring an emergency. Councilman Eric Rust motioned to pass Ordinance 2022-15 as an emergency and Councilman Zach Pruitt seconded it. The voice vote passed unanimously.

Ordinance 2022-16 “**AN ORDINANCE ELIMINATING UN-NEEDED JOB DESCRIPTIONS AND POSITIONS FOR THE VILLAGE OF UNION CITY, OHIO**”, and declaring an emergency. Councilman Eric Rust motioned to declare an emergency, suspend the rules and advance by title only and Councilwoman Chiane Tedrow seconded. The voice vote passed unanimously.

Ordinance 2022-16 “**AN ORDINANCE ELIMINATING UN-NEEDED JOB DESCRIPTIONS AND POSITIONS FOR THE VILLAGE OF UNION CITY, OHIO**”, and declaring an emergency.

Ordinance 2022-16 “**AN ORDINANCE ELIMINATING UN-NEEDED JOB DESCRIPTIONS AND POSITIONS FOR THE VILLAGE OF UNION CITY, OHIO**”, and declaring an emergency. Councilwoman Robin Meinerding motioned to pass Ordinance 2022-16 as an emergency and Councilwoman Chiane Tedrow seconded it. The voice vote passed unanimously.

K. Old Business:

1. Gin’s Flags and More Food Tent- Chief Mark Ater stated he sent it to Attorney Nichole Pohlman to see if the Village can loop the vendors into the Village’s existing vendor permit Ordinance.
2. Zoning Chairman- Council, under zoning board recommendation, appointed Becky Neukam as the new Zoning Chairman
3. Street Lights at Sewer Plant- The Village has not heard anything from AEP on the status of the quote for street lights at the sewer plant.

L. New Business:

1. Purchase Order Request- Councilman Eric Rust motion to pay \$11,794.95 to Lexipol for a new Joint Policies and Procedures with Union City Indiana. Councilwoman Chiane Tedrow second. The voice vote passed unanimously. Councilman Zach Pruitt motioned to pay \$1,000 to Treasure State of Ohio for the Annual LEADS fees. Councilwoman Chiane Tedrow second. The voice vote passed unanimously.
2. Payroll and Budgetary Programs- Councilman Eric Rust requested to bring quotes from other Payroll and Budgetary Programs before council to discuss the Village's options.
3. Bank Options- With the First Financial Bank closing at the beginning of the year, the Village needs options on new banking. Council agreed to talk to Attorney Nichole Pohlman to see if the Village can continue to use them even though they are moving to the Indiana side.
4. Fire Hydrant Painting- Darke County Juvenile Probation, Ben Garbig contacted the Village and is thinking of starting a program for community service for the Juveniles on probation. Council agreed to allow them to do community service work for the Village under the supervision of the probation officers, and Darke County Probation assuming all responsibility for the Juveniles.
5. Solicitor Contract up at the end of 2022- Mayor Duane Pouder will contact Nicole Pohlman to see what her plan is for the next year.
6. Backhoe unsafe- The backhoe back arm is not working properly and is a safety issue. Councilman Eric Rust suggested calling Case and getting it serviced as soon as possible.
7. Advertising for a street department position- Rick Reichard's is retired in October. Doyal Daniel will be out soon for surgery and that will leave two people for the department. Councilman Eric Rust motioned to hire another Street, Sewer, and Water Department person. Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.
8. Police Department Promotions- Chief Mark Ater recommended moving Sergeant Jeff Turner to Captain Jeff Turner with a fifty cent raise. Councilwoman Nicole Whitesel motioned to move Jeff Turner from Sergeant to Captain with a fifty cent raise. Councilwoman Chiane Tedrow seconded. The voice vote passed unanimously.
Chief Mark Ater recommended moving Patrolman Justin Jordan to Sergeant Justin Jordan with a fifty cent raise. Councilwoman Nicole Whitesel motioned to

move Justin Jordan from Patrolman to Sergeant with a fifty cent raise. Councilwoman Chiane Tedrow seconded. The voice vote passed unanimously.

9. Street Sweeper- Street sweeper is not working properly. Council discussed speaking with the Indiana side to see if we get into a rut if we could use theirs. Councilman Eric Rust motioned to have Brown Equipment in Evansville, Indiana come and pick the sweeper and get quotes to repair it. Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

10. Aqualine- the daily water readings from Indiana for the month of August are not consistent. Indiana thinks we have a leak but the numbers are up and down and not consistent with a leak. Council recommended waiting until next month and looking at the numbers to see if they become more consistent with a leak.

11. Safety Equipment for Utility Department- PEP is offering a \$1,000 grant for safety equipment. Council recommends bringing a list of safety equipment the department needs.

12. Water Bill Assessments- Councilwoman Nicole Whitesel motioned to turn delinquent water bills over to the county for real estate assessment. Councilman Eric Rust seconded. The voice vote passed unanimously.

M. Emergency Business/Ordinances:

N. Call of Council:

Councilman Eric Rust asked for an update on Eastside Park. Councilwoman Chiane Tedrow said she has been contacted by numerous people wanting to help. Councilwoman Nicole Whitesel motioned to pay AAA State of Play in the amount of \$10,729.77 for the park equipment. Councilwoman Robin Meinerding seconded. The voice vote passed unanimously.

Councilman Eric Rust recommends we should donate flower garden to Betty Grimes in Railroad Park at Stateline. Mayor Duane Pouder suggests we make a resolution for the next meeting. Homer Stammen stated he has put in a lot of time and effort in the park when Betty wasn't able to maintain it anymore.

O. Communications and Announcements:

Next Council Meeting will be October 4, 2022 at 6 pm.

P. Executive Session:

Councilwoman Nicole Whitesel called an executive session for personnel. Councilwoman Chiane Tedrow seconded. The voice vote passed unanimously. Council went into executive session at 8:13 pm. Council resumed regular council meeting at 8:21 pm.

Councilman Eric Rust recommended Tom Oliver to fill the vacant council seat. Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

Q. Adjournment or Recess:

Councilman Zach Pruitt motion to adjourn. Councilwoman Nicole Whitesel second. The voice vote passed unanimously. Council adjourned at 8:24.

Duane Pouder, Mayor

Tonya Coning/ Fiscal Officer