

Regular Council Meeting of November 1, 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 Tom Oliver, Eric Rust, Robin Meinerding, Zach Pruitt, and Nicole Whitesel was present. Chiane Tedrow was absent.
  
- E. **Consent Agenda:**
  - 1. Approval of the Agenda
  - 2. Department Head Reports
  - 3. Accounts Payable with "now and then" October 1-31, 2022
  - 4. Statement of Balances November 1, 2022
  - 5. November 1, 2022 Municipal Income Tax Report
  - 6. November 1, 2022 Debt Report
  - 7. General Fund and Payroll Bank Statements
  - 8. Village Council Minutes October 2022

Councilwoman Nicole Whitesel motioned to excuse Chiane Tedrow, Councilwoman Robin Meinerding second. Motion passed unanimously.

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

- F. **Village Citizens:** Darke County Auditor Carol Ginn spoke to council on their budget. Fiscal Officer Tonya Coning met with Carol to discuss the Village budget and to clarify what the budget could afford as far as raises because Mrs. Ginn has been doing this for 30 years. Fiscal Officer Tonya Coning wanted a second opinion. Mrs. Ginn presented spread sheets for council on the Village budget and said the Village would be in the negative in the general fund by the end of 2024 of \$81,815.75 and in the negative in the fire and rescue budget of \$288,912.06 if council passed a \$4.00 an hour raise and transferring \$150,000 to the fire and rescue budget every year. Mrs. Ginn suggested to move the Cares Act money into the General Fund and then move to Fire and Rescue Fund to pay wages but that money is a one time thing and there will be no more to replenish it. Her suggestion was to put a levy on the ballot for Fire and Rescue.

Scott Stahl asked council on behalf of the Wall of History committee they request to dedicate the walking path in Railroad Park to the Betty J. Grimes Walking Path. They would be providing a total of 5 signs. They would also like to rename the Wall of History Committee to the Betty J. Grimes Wall of History. Mayor Duane Pouder requested to have a Resolution drawn up to

change the name for the December meeting. Scott Stahl is now the Chairman of the committee. He is also asking for members to join the committee.

Mike Bowers attended the meeting and the application for the Brownsfield Grant has been sent in to the Ohio Department of Development for the clean up of the property on Elm St. and said as of 10/06/2022 the Village was recommended for the funding for the Brownsfield Grant.

**G. Project:**

Greg Bailey with Ohio Valley Gas presented a Property Improvement agreement for the North Street project to look over and sign. He asked to be put on the agenda for the December 6, 2022 council meeting.

**H. Administrative Reports:**

Mayor Duane Pouder attended an Open House at Community Help Center for their new walk in cooler.

**I. Committee Reports:**

Finance and Audit Meeting Minutes- Councilwoman Robin Meinerding stated with the recommendations of the finance and audit meeting are not doable and Fiscal Officer Tonya Coning said she will not do it in her position because the money is not there. Mayor Duane Pouder stated the Village owes Fire and Rescue an answer at this council meeting. Councilwoman Robin Meinerding said we can't go with this recommendation. Fire Captain Greg Miller stated he understands their bluff is being called and it's not a bluff. He stated he has one hundred percent backing from his department and they will all cross the Stateline for jobs if they do not get this raise. He also stated that the Village contributes zero dollars for their protection when the townships contribute their contract prices for eight percent of the calls. The Village is ninety two percent of their calls. He agrees that we need a fire levy. It would cost the Village approximately \$526,000 to contract the services to the Indiana side Fire and Rescue. Council recommended putting a levy on the ballot for this spring. The police department has a police levy to support their pay increase. EMS Captain Chris Marker mentioned the Cares Act money to help pay the fire and rescue pay increase. Fire Captain Greg Miller presented his numbers stating he wasn't sure where the County Auditor received her numbers but his numbers are different and he believes with the Cares Act money they could afford a \$4.50 an hour raise and raise the night call wages to \$100 instead of \$60 and the Cares Act money would last approximately two years until they can get a levy on the ballot. Mayor Duane Pouder stated to have a Resolution drawn up for the next council meeting to move the American Rescue Plan Act money to the fire and rescue budget to cover the wage increase, and to also get a levy on the ballot for the spring of 2023. Mayor Duane Pouder also stated that even though this is a part time job, Fire and Rescue should not work for minimum wage. Fire Captain Greg Miller stated most of the Fire and Rescue are working three part time

jobs to make ends meet and that it shouldn't be that way. Councilwoman Nicole Whitesel made a motion to move the Cares Act money to the General Fund to be moved to the Fire and Rescue fund to cover the raises for the Fire and Rescue. Councilwoman Robin Meinerding second. The motion passed unanimously. Fire Captain Greg Miller presented council with a wage Ordinance for all Police, Fire and Rescue. Mayor Duane Pouder stated we will have all the Resolutions and Ordinances for the next meeting, EMS Captain stated it was not fair for them to have to wait another month in order to get a raise when council knows the Cares Act money is there to pay them their increase. Council agreed and carried on with the motion.

**J. Ordinances and Resolutions:**

Ordinance 2022-17 “**A ORDINANCE AUTHORIZING THE MAYOR AND FISCAL OFFICER OF THE CORPORATION OF UNION CITY TO ENTER INTO A CONTRACT WITH R.J. PAINTING AND TREE SERVICE**”, and declaring an emergency. Councilman Eric Rust motioned to declare an emergency, suspend the rules and advance by title only and Councilman Zach Pruitt seconded. The voice vote passed unanimously.

Ordinance 2022-17-Second Reading-“ **A ORDINANCE AUTHORIZING THE MAYOR AND FISCAL OFFICER OF THE CORPORATION OF UNION CITY TO ENTER INTO A CONTRACT WITH R.J. PAINTING AND TREE SERVICE**”, and declaring an emergency.

Ordinance 2022-17-Third Reading-“ **A ORDINANCE AUTHORIZING THE MAYOR AND FISCAL OFFICER OF THE CORPORATION OF UNION CITY TO ENTER INTO A CONTRACT WITH R.J. PAINTING AND TREE SERVICE**”, and declaring an emergency. Councilwoman Nicole Whitesel motioned to pass Ordinance 2022-17 as an emergency and Councilman Zach Pruitt seconded it. The voice vote passed unanimously.

Ordinance 2022-18 “**AN ORDINANCE SETTING THE SALARIES AND WAGE SCALE OF THE VILLAGE OF UNION CITY POLICE AND FIRE DEPARTMENT EMPLOYEES**”, 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 2022-18 “**AN ORDINANCE SETTING THE SALARIES AND WAGE SCALE OF THE VILLAGE OF UNION CITY POLICE AND FIRE DEPARTMENT EMPLOYEES**”, and declaring an emergency.

Ordinance 2022-18 “**AN ORDINANCE SETTING THE SALARIES AND WAGE SCALE OF THE VILLAGE OF UNION CITY POLICE AND FIRE DEPARTMENT EMPLOYEES**”, and declaring an emergency. Councilwoman Nicole Whitesel motioned to pass Ordinance 2022-18 as an emergency and Councilman Zach Pruitt seconded it. The voice vote passed unanimously.

**K. Old Business:**

1. Councilwoman Nicole Whitesel motioned to sign a contract with UAN Budget and Payroll program in place of the Government Accounting Solution Budget and Payroll program. Councilwoman Robin Meinerding second. The motion passed unanimously.
2. Councilwoman Nicole Whitesel motioned to switch the Village Bank accounts from First Financial Bank to Second National Bank. Councilman Tom Oliver second. The motion passed unanimously.
3. The street sweeper is still in the shop and they have given an estimate of approximately \$45,000 to repair and it isn't worth that much. Tyler is getting quotes on new and used ones. EMS Captain Chris Marker suggested checking into lease options also for a new one.
4. The backhoe is still in the shop.
5. The current utility worker wages were never discussed in the finance and audit meeting and their wages were never adjusted when there was a pay increase. Councilwoman motioned to raise their wages to \$20.00 an hour. Councilman Tom Oliver second. The motion passed unanimously.
6. Utility Supervisor Tyler Jenkinson brought a quote for safety rails for the sewer plant from Cotterman & Company for \$14,250.00. Council agreed to table this until the December meeting.

**L. New Business:**

1. Purchase Order Request-
2. Art Sense is asking to tie into the Village sewer. Rick Snyder explained the EPA is mandating Art Sense have their own waste water permit and they have to make upgrades, put their own new plant in, or send it to the Village. They can run the pipe through the field and they have a verbal okay from Jeff Cox to run it on his property to the village tie in. Art Sense already has a meter to regulate how much the usage they use. Art Sense will be responsible for the tie in fees and inline grinder pump with blue print approval. Councilman Eric Rust motioned to allow Art Sense into Village sewer with the blueprint approval and all fees. Councilwoman Nicole Whitesel second. The voice vote passed unanimously.
3. The plumber does not want to work with the contractor for the street department. Smith's General Contracting has contracted out the plumbing, HVAC, and electric. Buebeck Plumbing will not work with the contractor. Mote and Associates suggested meeting with the contractor and have them agree to release the plumbing portion of the contract so we can work directly with the

plumber. Smith's General Contracting has a contract with the fire department also and sub contracted the work out and has billed the Village for more materials that was used to repair the fire department building. He brought a bill for the remainder of the contract price minus the advance the Village paid him for supplies. The sub contractor also gave the Village a bill for the work that was done on the fire department. Our Village Solicitor has been involved and sent Smith's General Contracting a letter. Council agreed that the subcontractor is his responsibility to pay and he is paid in full and we need a lien waver from the sub contractor saying he is paid in full. Mayor Duane Pouder said he will talk to the Village Attorney Nicole Pohlman and see what are options are.

4. Rick Snyder applied for a part time permanent position on the Village Utility Department, instead of him being paid \$1200 a month as our licensed water operator and the Village monthly MASI lab testing fees will be cut in half because he can do the testing in house. He is asking to be paid \$25.00 an hour with insurance and OPERS benefits. Councilman Eric Rust made a motion to hire Rick Snyder part time permanent at \$25.00 an hour. Councilwoman Nicole Whitesel second. The voice vote passed unanimously.

4. With the recommendation of Village Administrator Tonya Coning and Utility Supervisor Tyler Jenkinson, after several interviews they chose Keith Moon. Councilwoman Nicole Whitesel motioned to hire Keith Moon to fill the open utility position. Councilman Tom Oliver seconded. The voice vote passed unanimously.

5. Councilwoman Nicole Whitesel made a motion to appoint Mary Kreider to the Wall of History committee. Councilman Tom Oliver second. The motion passed unanimously.

**M. Emergency Business/Ordinances:**

**N. Call of Council:**

**O. Communications and Announcements:**

Next Council Meeting will be December 6, 2022 at 6 pm.  
Mayor Duane Pouder will be out of town for a couple of days next week and will not be available. If anyone needs anything they are requested to go to Mayor pro tem Eric Rust.

**P. Executive Session:**

**Q. Adjournment or Recess:**

Councilwoman Nicole Whitesel motioned to adjourn. Councilwoman Robin Meinerding second. The voice vote passed unanimously. Council adjourned at 8:10 p.m.

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Duane Pouder, Mayor

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Tonya Coning/ Fiscal Officer