

Record of Proceedings

Minutes of West Lafayette Village Council Regular Meeting

West Lafayette Village Council met in regular session on May 9, 2016 at 7:00 p.m. in the municipal building with Mayor Stephen R. Bordenkircher presiding.

Pledge of Allegiance

Prayer

Roll Call: Christie Maurer, Ron Lusk, Rich Wheeler, Craig Bordenkircher and Bo Fortune were present.

- A motion was made by Craig Bordenkircher and seconded by Bo Fortune to excuse Councilman Tim Cheney. Roll Call 5 yes.
- Also attending was Sara Warne-Fiscal Officer.
- A motion was made by Ron Lusk and seconded by Rich Wheeler to approve the minutes of the April 25, 2016 council meeting. Roll Call 5 yes.
- A motion was made by Ron Lusk and seconded by Craig Bordenkircher to approve the Special Meeting Minutes of the April 27, 2016 council meeting. Roll Call 5 yes.

Mayor's Correspondence:

A letter regarding workers compensation and a magazine was received.

Citizens' comments:

Shawn Moore was present to observe.

Brian Weingarth noted that he was looking to build a garage on his property. He planned to buy adjacent property but it is not available at this time. He would like to build the garage at the corner of his property but it would be close to the alley and Oak Street. Mr. Weingarth would like to know where he can locate his garage at the corner of his property. The garage would face the welding shop across the alley. Mayor Bordenkircher provided council with a copy of Mr. Weingarth's application for appeal as well as his original application. Mayor Bordenkircher reviewed the application and spoke with prior Village Administrator David Kadri since he issued the denial. The problem was with Section 152.056. With the location being a corner lot it is required to be twenty feet from either border of the pins. Mayor Bordenkircher also referred to Section 152.103, which deals with the building height. Mr. Weingarth's blueprints are proposing a building nineteen feet in height. Section 152.103 indicates that the maximum height of an ancillary building can only be fifteen feet. Mayor Bordenkircher noted looking at the Zoning Ordinance the only thing that council can do is to refer Mr. Weingarth's appeal to the Zoning Board of Appeals scheduling a meeting so that he can present his case. The Zoning Board of Appeals has the sole right to issue a variance at this point. Mayor Bordenkircher requested comments from council otherwise referring Mr. Weingarth to the Village Administrator who will schedule the Zoning Board of Appeals

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Meeting in about a week. Reasoning behind the size of the building was discussed. Mr. Weingarth wanted to see if they could go a little less than twenty feet in from the marker. When asked, Mr. Weingarth noted when constructing a building on a corner having enough visible clearance could be a possible argument. AEP easement was also discussed. Mr. Weingarth will receive notification of a meeting date and time in the mail.

Department Reports:

Fire: Assistant Chief Chad Hains reviewed the department's April 2016 Fire Report noting the department had one building fire, one fire in structure other than building, one fire in mobile home used as a fixed structure, and three outside rubbish fires, trash or waste. The department had three medical assists, two motor vehicle accidents with injuries, and one motor vehicle accident without injury. The department had one carbon monoxide call. The department had two good intent calls. One call was cancelled in route and no incident was found on arrival with the other. There was one false alarm call due to a detector malfunction. For location of incidents, three calls were in the village, five calls were in Lafayette Township, two calls were in Linton Township, two calls were in Oxford Township, three calls were in White Eyes Township and one Mutual Aid call was out of district. Ninety eight members received payment at \$10 per run. 218.22 hours were worked on emergency calls. Volunteer hours that include vehicle maintenance, training, etc. totaled 65.25 hours. The April 2016 fire loss totaled \$30,000. The year to date fire loss totals \$53,500. Last year's year to date fire loss totaled \$195,000. As of April 30, 2016, the department has received fifty six calls compared to last year's year to date total of sixty five calls. Nothing further has been received on the grant status. Chief Glenn Hill noted that the department has been working on the purchase of a tanker since August of 2014 without result. The department has almost half of the money to pay for the tanker. Chief Glenn Hill noted the work that the department has done on emergency operation planning. Three members had to be audited this year. The time and materials needed in the course of an audit was noted. The department wrote their own procedures back in 2002. Mayor Stephen Bordenkircher noted that once the grant standing is received the village has researched financing for the remaining amount needed to purchase a tanker. Chief Glenn noted the sixty day window on the bid is closed. An advance was requested but the chief believes that that additional thirty days is up also. Rebidding was discussed. Chief Glenn Hill noted the timeline now looking to be June and his opinion of not counting on a grant. Mayor Stephen Bordenkircher noted that if a loan is taken out for the tanker and they receive the grant it could no longer be utilized. Mayor Stephen Bordenkircher noted the fiduciary responsibility to the village's residents to look at every financial option prior to moving forward. Mayor Stephen Bordenkircher noted their commitment to help making sure the purchase happens.

- A motion was made by Ron Lusk and seconded by Bo Fortune to recognize Councilman Tim Cheney's arrival at 7:15 p.m. Roll Call 6 yes.

Fiscal Officer: Fiscal Officer Sara Warne noted that the month of April is closed and the Cash Summary is available for review and signage this evening. The life, AD&D

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and STD rate increase of 121% through UNUM and alternate options for coverage was discussed. The options were reviewed by the Finance Committee and there was a unanimous decision to change to a new broker with a cheaper option for coverage. Mayor Stephen Bordenkircher noted the cheaper Guardian rates would be locked in for two years. The SmartChoice option was a higher increase but the rates were locked in for three years.

- A motion was made by Craig Bordenkircher and seconded by Christie Maurer to move the village's life, AD&D and STD plan to Guardian. Roll Call 6 yes.

Mayor Stephen Bordenkircher explained that prior Village Administrator David Kadri who is now the Operator III suggested that he be allowed to keep his village credit card to buy incidentals. The advantages, disadvantages and T&Ns were noted. Councilman Rich Wheeler noted having done the job, he does not know what incidentals he would need the credit card for. The ability to go to the village administrator when circumstances arise was noted.

- A motion was made by Tim Cheney and seconded by Craig Bordenkircher for prior Village Administrator now Operator III David Kadri not to keep his village credit card. Roll Call 6 yes.

Councilman Ron Lusk inquired on the village administrator's purchasing authority. Mayor Stephen Bordenkircher noted per the Ohio Revised Code, the village administrator has a \$50,000 contract limit that cannot be further restricted.

Mayor Stephen Bordenkircher requested that department heads ensure that all signature pages be turned into the fiscal officer by the end of the month.

- A motion was made by Bo Fortune and seconded by Tim Cheney to approve the April 2016 Cash Summary. Roll Call 6 yes.

Police: Police Chief Stephen Klopfenstein noted that the April 2016 report was distributed. The police chief reviewed the instances that led to six arrests and three pending charges. The department's average response time to calls was three minutes. The department's busiest times were from 12 p.m. to 1 p.m. and from 9 a.m. to 10 a.m. The chief is investigating two speeding issues brought to his attention one being on Johnson's Road and the other being on 7th Street. The chief welcomed thoughts on other areas that needed attention. Councilman Ron Lusk inquired on making Main Street a 25 MPH zone and requested the chief's opinion. The chief agreed and will check into the possibility of making the change. The state will make the decision. The policy and procedures required by the state were discussed. The understanding is eventually there will be eighteen standards that every department in Ohio will have to comply with.

Solicitor: Village Solicitor Bill Owens was not present but Mayor Stephen Bordenkircher reported on his behalf that he filed a motion on May 3, 2016 to show

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cause regarding the house on Maple. The maintenance and the cleanup has not been done according to the schedule given. A motion has been filed with the Common Pleas Court. The matter is pending.

Village Administrator: Village Administrator Tom Grier will be unable to attend most meetings as council is aware. The new village administrator had a busy week last week learning the lay of the land. A lot of time was spent with the utilities and operations. He got up to speed on current issues including litigation on property, dilapidated structures, zoning issues and burning in the village. It was necessary to repair a water leak in the administration building. The leak was caused by rain coming down the downspout draining into the yard area then running into the basement. The mold in the basement was disinfected with bleach and a dehumidifier was purchased. The new village administrator is working with ODOT to get some LED traffic lights for the village at no cost. A significant amount of money could be saved in energy use as well as replacement cost. Village Administrator Tom Grier is also looking into improving the lighting at the police station. The alley off Kirk Street is being looked at due to having potholes. The committee has also had some discussion regarding the matter. There is a dilapidated unsanitary building located at 312 Fair Street that is being evaluated. The locks on the doors to the administration building are being changed at a small expense. Councilman Ron Lusk noted that in regards to 312 Fair Street, he spoke to the fire chief due to there being a gas pump sticking in the ground as well as a storage tank beside it.

Committee Reports:

Building and Property: Councilman Tim Cheney had nothing to report.

Community & Business Development: Chairman Bo Fortune had nothing to report.

Community Relations: Chairwoman Christie Maurer reported Chamber of Commerce's Yellow Flag Sales was this past weekend. Homecoming will be July 28th, 29th and 30th. The theme is Coal was King. The Queen Contest will be Thursday night at Burt Park. The parade will be on Friday at 7 p.m. There will be more information to come.

Finance: Chairwoman Christie Maurer reported that the committee met this evening and everything looks good.

Fire Dependency Board: There was nothing further to report.

Ordinance: Chairman Craig Bordenkircher noted the committee did not meet but there has been an update to the pay schedule reflecting the necessary changes based on the last meeting to the Operator III position.

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Park Board: Chairman Ron Lusk noted that the check for the Park Levy money is estimated to be mailed on the 10th. As soon as the money is received, they will be getting the new picnic tables.

Planning Commission: Chairman Ron Lusk noted the commission has not met. A meeting will be scheduled.

Public Safety: Councilman Ron Lusk noted there was nothing further to report.

Public Works: Chairman Rich Wheeler reported the committee met May 2, 2016 to discuss a mistake on a water bill. A resident received a \$5,000 water bill that should have only been about \$29. The committee is making a recommendation to council to issue the \$4,973 credit. The problem behind the error being a computer glitch was discussed. The bills were reviewed three times but the error was missed.

- A motion was made by Rich Wheeler and seconded by Christie Maurer to approve the \$4,973 credit. Roll Call 6 yes.

Councilman Rich Wheeler noted that the committee also discussed future staffing possibilities and is requesting the Finance Committee to suggest what the village can afford. Mayor Stephen Bordenkircher noted that the mistake in the past has been the lack of a backup. If David Kadri would not have stepped in the village would have been looking at a minimum of \$3,000 a week to cover the water and sewer operation. The village received one quote for \$30,000 a month. Training a Class II water or sewer employee and assisting them with the additional training may be a possibility. A person without experience would require an approximate five year curve. Someone with a license would take approximately two years to train. Bringing someone in at the \$19 an hour range would be an estimated annual cost of \$40,000. The EPA told the mayor that if he was not able to get someone within the village's budget the rates would need to be increased in order to pay the necessary expense. If the village is put in a circumstance where they lose their operator, they have three days to get an operator of record established. The position must be permanently filled in thirty days. Finding someone with the necessary licenses is difficult and the mayor thinks it is crucial to work to sure up those positions. An incentive program such as a retirement bonus based on tenure to make the opportunity worth the employees' while was suggested. Mayor Stephen Bordenkircher noted having resumes on hand of possible candidates. The village covering the cost of training being the only reasonable thing to do was discussed. The replacement of some village equipment was discussed but tabled for the time being. Locations of backhoes for sale were discussed.

Records Retention: Mayor Stephen Bordenkircher had nothing to report.

Rules: Mayor Stephen Bordenkircher had nothing to report.

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Introduction to ordinances and resolutions:

- **Resolution 2016-17: AN ORDINANCE ESTABLISHING 2016 PAY SCHEDULE FOR THE VILLAGE OF WEST LAFAYETTE AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH. First Reading/ Emergency**
- A motion was made by Christie Maurer and seconded by Craig Bordenkircher to suspend the rules per the emergency clause added to Resolution 2016-17. Roll Call 6 yes.
- A motion was made by Craig Bordenkircher and seconded by Ron Lusk to adopt Resolution 2016-17. Roll Call 6 yes.

Committee Meetings:

Building & Property- Tuesday, May 17, 2016 at 5 p.m.

Finance- Monday, June 13, 2016 at 6:30 p.m. and Monday, June 27, 2016 at 6 p.m.

Community & Business-

Ordinance- Saturday, May 14, 2016 at 9 a.m.

Park Board-

Public Safety/ Fire- Wednesday, May 11, 2016 at 7 p.m. Cancelled

Public Works- Monday, May 16, 2016 at 5 p.m.

Other Business:

Mayor Stephen Bordenkircher noted he would be asking for an executive session following other business to discuss personnel regarding the fiscal officer and tax administrator. The carpet in council chambers will be installed tomorrow morning. No meetings can be scheduled in council chambers during the next two days. The cheerleaders from the high school have contacted the mayor regarding doing a boot drive on May 21, 2016 as a fundraiser for the cheerleaders.

- A motion was made by Ron Lusk and seconded by Tim Cheney to allow the cheerleaders to do a boot drive on May 21, 2016. Roll Call 6 yes.

There has been discussion regarding the office manager/ tax administrator area being a social center and trying to make it more efficient. The fiscal officer has been devoting about 25% of her time covering that operation. The possibility of cutting out the mail run by getting rid of the post office box was researched. The only way the post office will deliver the mail is if the village puts in a rural box out front due to the volume. Mail would then sit over the weekend uncollected which the mayor opposes. The other issue is the fiscal officer is currently covering the office manager/ tax administrator's lunch breaks. The fiscal officer spends approximately seven and a half hours a week covering the front desk which no one is at fault for. The village administrator suggested that the office close during the lunch hour giving the fiscal officer an additional hour a day to focus on her work. The fiscal officer is spending too much time in overtime that she is not getting paid for. Coshocton has closed their water office at lunchtime.

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Other possibilities of rectification were discussed. The fiscal officer's overtime was discussed. Councilman Rich Wheeler noted that at one time the office was closed at noon.

- A motion was made by Tim Cheney and seconded by Craig Bordenkircher to close the administration office from 12 p.m. to 1 p.m. Roll Call 6 yes.

Mayor Stephen Bordenkircher noted looking into the possibility of making a credit card payment option available for water and sewer charges within the next thirty to sixty days. Mayor Stephen Bordenkircher noted his purchase of a whiteboard for council chambers that can be used for as a dry erase board and projector screen costing \$57. There is a United Way meeting tomorrow night that the mayor will try to attend but he also has another appointment at 7 p.m.

- A motion was made by Ron Lusk and seconded by Rich Wheeler to pay the bills as presented. Roll Call 6 yes.

Mayor Stephen Bordenkircher noted the need for an executive session to discuss personnel issues requesting the fiscal officer to remain. All other attendees were requested to leave the chambers. Action is expected following executive session.

- A motion was made by Craig Bordenkircher and seconded by Bo Fortune to go into executive session to discuss personnel issues pertaining to the fiscal officer and tax administrator. Roll Call 6 yes.
- A motion was made by Tim Cheney and seconded by Ron Lusk to come out of executive session. Roll Call 6 yes.

Mayor Stephen Bordenkircher announced that council was out of executive session. Shannon Hains contacted the mayor indicating that she would like to step down as the tax administrator for the village.

- A motion was made by Tim Cheney and seconded by Rich Wheeler to excuse Councilman Lusk from the vote. Roll Call 5 yes.
- A motion was made by Craig Bordenkircher and seconded by Bo Fortune to accept Shannon Hains' resignation from the tax administrator position. Roll Call 5 yes.
- A motion was made by Craig Bordenkircher and seconded by Bo Fortune to reduce Shannon Hains' wages by a dollar an hour due to the reduced responsibility. Roll Call 5 yes.
- A motion was made by Bo Fortune and seconded by Christie Maurer to reduce Shannon Hains' hours back down to thirty five hours a week. Roll Call 5 yes.

Mayor Stephen Bordenkircher noted with the acceptance of the current tax administrator's request to step down and the fiscal officer declining to accept additional hours authority to hire

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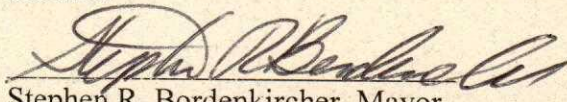
a part time tax administrator is needed. A need to clean up the tax backlog is required. The part time individual would be paid at a labor pool rate for the time being.

- A motion was made by Ron Lusk and seconded by Christie Maurer to hire a part time tax administrator at a labor pool rate. Roll Call 6 yes.

Mayor Stephen Bordenkircher will advise the village administrator that Shannon Hains' office hours will be 8 a.m. to 4 p.m. with a one hour lunch break from noon to 1 p.m.

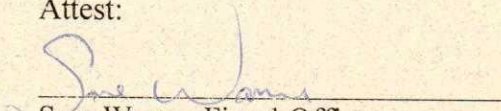
- A motion was made by Ron Lusk and seconded by Tim Cheney to adjourn until the next meeting on Monday, May 23, 2016 at 7:00 p.m. Roll Call 6 yes.

*A full recording of this evening's minutes can be heard by visiting www.westlafayettevillage.com and clicking on the council tab then selecting recorded minutes.



Stephen R. Bordenkircher, Mayor

Attest:


Sara Warne, Fiscal Officer