

Record of Proceedings

Minutes of West Lafayette Village Council Regular Meeting

West Lafayette Village Council met in regular session on November 23, 2015 at 7:00 p.m. in the municipal building with Mayor Jack L. Patterson presiding.

Pledge of Allegiance

Prayer

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

- Mayor Jack Patterson noted that Councilman Roger Warne was excused and more information was to follow.
- Also attending were Sara Warne-Fiscal Officer, David Kadri-Village Administrator, and Diane Koch-WTNS.
- A motion was made by Ron Lusk and seconded by Christie Maurer to excuse Councilman Tim Cheney. Roll Call 4 yes.
- A motion was made by Ron Lusk and seconded by Rich Wheeler to approve as written, the minutes of the November 9, 2015 council meeting. Roll Call 4 yes.
- A motion was made by Craig Bordenkircher and seconded by Ron Lusk to recognize Councilman Tim Cheney's arrival at 7:12 p.m. Roll Call 5 yes.

Mayor's Correspondence:

Mayor Jack Patterson read the resignation letter he received from Councilman Roger Warne effective today. Mayor Jack Patterson noted the need to reassign Mr. Warne's duties due to his resignation.

- A motion was made by Christie Maurer and seconded by Rich Wheeler to regrettably accept Councilman Roger Warne's resignation. Roll Call 3 yes. Councilman Ron Lusk voted no.

Mayor Jack Patterson noted that the motion would need to be reread upon Councilman Tim Cheney's arrival due to not having a majority.

- A motion was made by Craig Bordenkircher and seconded by Christie Maurer to regrettably accept Councilman Roger Warne's resignation. Roll Call 4 yes. Councilman Ron Lusk voted no.

Citizens' comments:

Steve Bordenkircher requested that council members get in touch with him individually to discuss what committees they are interested in being assigned to. Steve Bordenkircher noted the copies of resumes distributed for councils review prior to appointment of the council vacancy.

Record of Proceedings

Shawn Moore was present to observe.

Tye and Jasmine Hall were present to observe.

Jordan Warne was present to observe.

Department Reports:

Fire: No representatives were in attendance to report.

Fiscal Officer: Fiscal Officer Sara Warne was directed by Mayor Jack Patterson to start her report by discussing vacation. Fiscal Officer noted the copy of page 4 of Ordinance 2015-06 in council's folder for review. Upon reading number one of section five the Fiscal Officer was under the understanding that she was entitled to one week vacation after six months of employment upon supervisor's approval. Mayor Jack Patterson approved the Fiscal Officers one week vacation November 9, 2015. Mayor Jack Patterson then notified the Fiscal Officer November 19, 2015 not only was it likely that she would not be receiving a paycheck the final week of December or the first week of January but that she would also be receiving one less week of vacation. Fiscal Officer Sara Warne apologized for needing council to clarify the matter this evening. There was discussion regarding the wording of the Ordinance versus its intent and how other employers handle the matter of vacation in regards to new hires. Village Solicitor Bill Owens noted that if an issue can go one of two ways it is best to decide in favor of the employee. Mayor Jack Patterson requested that the Ordinance be clarified in order to prevent confusion in the future.

- A motion was made by Ron Lusk and seconded by Craig Bordenkircher granting the Fiscal Officer one week paid vacation after six months of employment and two additional weeks paid vacation on the date of her one year anniversary. Roll Call 5 yes.

Fiscal Officer Sara Warne also requested to know whether the salaried individuals were going to be paid for the end of the year. Fiscal Officer Sara Warne noted that her salary for the year was prorated due to her being a new employee. The Fiscal Officer reiterated that she will not have received her prorated salary based upon her hire date and should still receive a paycheck. Mayor Jack Patterson noted that the Fiscal Officer brought to the Finance Committee's attention that 27 payrolls fell in 2016 and the issue of the first payroll of 2016 falling on January 1, 2016. There may be a need to pay the first payroll of 2016 in 2015 due to that payroll falling on January 1, 2016. In that event 27 payrolls would fall in 2015. Mayor Jack Patterson noted that paying the 27th payroll to the salaried employees is not allowable per the current ordinance. Mayor Jack Patterson agreed that due to the Fiscal Officer starting mid 2015 she had not received her allotted salary for the year but the Village Administrator and the Police Chief will have after the 26th pay. Mayor Jack Patterson broke the payment the Fiscal Officer was entitled to per the current Ordinance for 2015 down by calculating her salary per week. Mayor Jack Patterson presented various options to council and noted the several options needed to be discussed prior to making a decision and the matter would be tabled until the next council meeting. Fiscal Officer Sara Warne noted that it was not

Record of Proceedings

the employee's fault that the Village was not prepared for 27th payroll and salaried employees should not be penalized. Mayor Jack Patterson noted the payroll date was moved in 2013 to avoid this current conflict but it only delayed the matter. Mayor Jack Patterson noted Resolution 2015-28 prepared by the Fiscal Officer for tonight's meeting was not presented due to the amount of variables.

Police: No representatives were in attendance to report.

Solicitor: Village Solicitor Bill Owens informed council of the upcoming Ohio Municipal Attorneys Association Conference December 4, 2015 and noted his request to attend. The two hundred dollar registration fee is on the bill pay report this evening for approval.

- A motion was made by Ron Lusk and seconded by Tim Cheney approving Village Solicitor appropriated funds to be used to pay for the Village Solicitor's registration fee, hotel room and mileage reimbursement for the OMAA Conference December 4, 2015.

Village Solicitor Bill Owens also noted the Village's thirty day window to appoint someone to fill Councilman Roger Warne's position through December 31, 2015. Councilman Ron Lusk recommended that Stephen Bordenkircher fill the position for the remainder of 2015.

- A motion was made by Ron Lusk and seconded by Tim Cheney to appointment Stephen Bordenkircher as Councilman in place of Roger Warne for the remainder of 2015. Roll Call 4 yes. Craig Bordenkircher abstained.

New Councilman Stephen Bordenkircher was sworn in by Village Solicitor Bill Owens.

Village Administrator: Village Administrator David Kadri noted the Sewer Plant is using the minimum lighting necessary for safety. December 7, 2015 will be the true last day for leaf pick up. Three tons of cold mix has been utilized for pot holes. The trees have been installed at the park and will need watered once between now and the first. Columbia Gas is requesting a meeting to discuss their 2016 gas line project plans for West Lafayette.

Committee Reports:

Building and Property: Chairman Tim Cheney had nothing to report. Councilman Ron Lusk noted the condition of the back of the property on East Main Street behind the Dairy Hut. The property at 121 South Maple was discussed. The posting and Village Solicitor letter was noted.

Community Relations: Chairwoman Christie Maurer reported Christmas in the Village will be held December 5, 2015. There will be a 9 a.m. craft show held at the

Record of Proceedings

First Baptist Church. The Christmas Parade will take place at 1 p.m. Line-up is scheduled for noon at the Ridgewood Middle School. The West Lafayette Lion's Club Breakfast at the West Lafayette Methodist Church begins at 7:30 a.m.

Finance: Mayor Jack Patterson noted the 2016 Appropriations were set. Fiscal Officer Sara Warne reported she was working with the auditor to revise the appropriation Ordinance per their request. Resolution 2015-29 will be ready to present during the December 14, 2015 council meeting for emergency passage.

Fire Dependency Board: Councilman Tim Cheney volunteered to serve on the Fire Dependency Board.

- A motion was made by Ron Lusk and seconded by Rich Wheeler to appoint Councilman Tim Cheney to the Fire Dependency Board. Roll Call 5 yes.

Ordinance: Chairman Craig Bordenkircher noted the committee met and discussed Ordinance 2015-26 on the agenda this evening.

Park Board: Chairman Ron Lusk reported the trees have been planted. Mayor Jack Patterson reported the restrooms have been winterized and no heaters are permitted. Christie Patterson's last day for park scheduling will be December 31, 2015.

Planning Commission: Chairman Ron Lusk noted there was nothing local to report.

Public Safety: There was nothing to report for Police. The Fire Department's ISO audit was noted. Two of the four 2016 Fire Contracts have been received by the Fiscal Officer.

Public Works: Chairman Rich Wheeler reported a meeting was held November 16, 2015 to discuss the hiring of a part time versus full time employee. Village Administrator David Kadri requested to credit River Glenn \$499.80 on their sewer bill.

- A motion was made by Ron Lusk and seconded by Craig Bordenkircher to credit River Glenn's account \$499.80 for sewer charges. Roll Call 6 yes.

Records Retention: Village Administrator David Kadri noted that this is the last week the Village's disposal source will be available. Fiscal Officer Sara Warne requested the list of documents previously destroyed by the Village Administrator. Village Administrator David Kadri noted that list would be prepared by the next council meeting.

Introduction to ordinances and resolutions:

Record of Proceedings

2015-26: AN ORDINANCE ESTABLISHING 2015 PAY SCHEDULE FOR THE VILLAGE OF WEST LAFAYETTE AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

- A motion was made by Ron Lusk and seconded by Craig Bordenkircher to suspend the rules per the emergency clause added to Resolution 2015-26. Roll Call 5 yes.
- A motion was made by Craig Bordenkircher and seconded by Tim Cheney to adopt Resolution 2015-26. Roll Call 5 yes.

2015-27: A RESOLUTION TO AMEND THE 2015 PERMANENT APPROPRIATIONS ORDINANCE 2014-29, ADDING FUNDS

- A motion was made by Ron Lusk and seconded by Craig Bordenkircher to suspend the rules per the emergency clause added to Resolution 2015-27. Roll Call 5 yes.
- A motion was made by Tim Cheney and seconded by Ron Lusk to adopt Resolution 2015-27. Roll Call 5 yes.

2015-30: ORDINANCE TO AMEND THE LEASE BETWEEN THE VILLAGE OF WEST LAFAYETTE AND RIDGEWOOD RECREATION First Reading

Committee Meetings:

Finance- Pending

Public Works- Pending

Ordinance- Thursday, December 3, 2015 at 6 p.m.

Park- Pending

Public Safety/ Fire- Wednesday, December 9, 2015 at 5 p.m.

Building & Property- Pending

Other Business:

The remedying of the waterline on Union was discussed.

Mayor Jack Patterson expressed the necessity of having the Tax Review Board in place and reiterated the criteria for those appointed. The Finance Committee reached the agreement to pay the board members ten dollars per hour. Mayor Jack Patterson recommended that appointments be made during the December 14, 2015 council meeting. Mayor Jack Patterson noted the appointments required due to Roger Warne's resignation. Mayor Jack Patterson stated his recommendation to appoint Councilman Rich Wheeler as Council President Pro Tempore for the remainder of 2015.

Record of Proceedings

- A motion was made by Ron Lusk and seconded by Tim Cheney to appoint Rich Wheeler Council President Pro Tempore for the remainder of 2015. Roll Call 5 yes. Rich Wheeler abstained.

Per Mayor Jack Patterson the appointment was to take effect immediately. Mayor Jack Patterson reminded council that Roger Warne was the Chairman of the Finance Committee and recommended that Ron Lusk be appointed as Chairman of the Finance Committee for the remainder of the year.

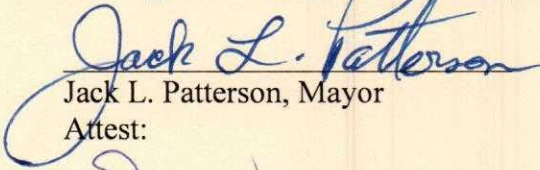
- A motion was made by Tim Cheney and seconded by Rich Wheeler to appoint Ron Lusk Chairman of the Finance Committee for the remainder of 2015. Roll Call 5 yes. Ron Lusk abstained.

Mayor Jack Patterson reported that the Ordinance Committee will now consist of Councilman Rich Wheeler and Chairman Craig Bordenkircher.

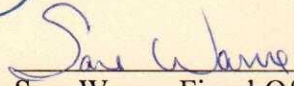
The Fiscal Officer requested to verify whether council members had been reading their emails. Fiscal Officer Sara Warne noted that there has been friction between herself and the Village Administrator that needed to be addressed. Mayor Jack Patterson explained that the Village Administrator was requesting a meeting with the Mayor and the Fiscal Officer to discuss the issues at hand. Mayor Jack Patterson stated one item for discussion at the meeting was the "Then and Now" purchases. Mayor Jack Patterson noted that the Fiscal Officer wanted the proper Purchase Order procedure to be followed. Fiscal Officer Sara Warne welcomed the Mayor to email her anything that she needed to do differently and she would be sure to do so as she had stated before. The Fiscal Officer stated that she would prefer the matter be handled via email. If the Fiscal Officer records the meeting with her own equipment the Village Administrator wants a copy. The information requested can easily be emailed to avoid a time consuming meeting where afterwards things can be misconstrued. Fiscal Sara Warne noted her frustration with not receiving the information she requests from the Village Administrator that is required to do her job properly. Fiscal Officer Sara Warne also noted her frustration with the Village Administrator attempting to show the Mayor how he can do what is the Fiscal Officer's responsibility better.

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

A motion was made by Rich Wheeler and seconded by Tim Cheney to adjourn until the next meeting on Monday, December 14, 2015 at 7:00 p.m. Roll Call 6 yes.


Jack L. Patterson, Mayor

Attest:


Sara Warne, Fiscal Officer