

ORDINANCE NO. 2022-10
AN ORDINANCE AMENDING ORDINANCE NO. 2021-8
FIXING SALARIES, COMPENSATION AND BENEFIT PROGRAMS FOR 2022 OF
ALL APPOINTED OFFICERS AND EMPLOYEES OF
THE TOWN OF GENEVA AND ESTABLISHING CLOTHING
ALLOWANCES FOR THE POLICE DEPARTMENT,
POLICE RESERVES AND FIRE DEPARTMENT

WHEREAS, the Common Council of the Town of Geneva has discussed and considered what measures should be taken in order to provide added consideration to the employees of the Town in appreciation for the work performed for the Town by existing employees, in order to better retain said employees, as well as to better attract new and additional employees to the Town.

THEREFORE BE IT ORDAINED by the Common Council of the Town of Geneva, Indiana that the salary ordinance, being Ordinance No 2021-8 is hereby amended, in its entirety, to read as follows:

BE IT ORDAINED by the Common Council of the Town of Geneva, Indiana that the following named officers, employees and other persons employed by the Town of Geneva, Indiana, shall receive the following salaries for the year 2022:

SECTION I - BASE SALARIES

That from and after June 1, 2022, the following appointed officers and employees of the Town of Geneva, Indiana, shall receive the following maximum base salaries per year.

WORKFORCE MANAGER

<u>Workforce Manager:</u>	<u>Part Time</u>
Greater than Seven (7) Years Experience	\$32,000.00
Greater than Six (6) Years Experience	\$31,710.00
Greater than Five (5) Years Experience	\$31,425.00
Greater than Four (4) Years Experience	\$31,140.00
Greater than Three (3) Years Experience	\$30,855.00
Greater than Two (2) Years Experience	\$30,570.00
Greater than One (1) Year Experience	\$30,285.00
Entry Level	\$30,000.00

The Workforce Manager is a part-time position for up to 1,500 hours worked during the calendar year. The position does not include either insurance benefits or retirement benefits. The position receives the Clothing Allowance as set forth in Section IV(E) for part-time employees, and Holidays, Vacations, Personal Time and Sick Leave as set forth in Section VII for part-time employees.

The Workforce Manager will be provided a Town vehicle to take home within a five (5) mile radius of the Town limits of the Town of Geneva.

WORKFORCE SUPERVISOR

Workforce Supervisor: \$7,000.00

The Workforce Supervisor is a part-time position for up to 500 hours worked during the calendar year. The Supervisor will provide various services to the street, water and wastewater departments as well as grant writing. The Supervisor shall have the authority to work with the employees of the various departments, and shall determine what departmental projects are to be undertaken as well as the order in which they are to be completed. The purpose of this position is to provide efficient workflow by well-planned prioritization of work and successful supervising of the employees. The position does not include either insurance benefits or retirement benefits. The position receives the Clothing Allowance as set forth in Section IV(E) for part-time employees, and Holidays, Vacations, Personal Time and Sick Leave as set forth in Section VII for part-time employees.

STREET DEPARTMENT

Street Department Personnel:

Greater than Seven (7) Years Experience	23.00 - \$25.00 Per Hour
Greater than Six (6) Years Experience	\$22.25 Per Hour
Greater than Five (5) Years Experience	\$21.75 Per Hour
Greater than Four (4) Years Experience	\$21.25 Per Hour
Greater than Three (3) Years Experience	\$20.75 Per Hour
Greater than Two (2) Years Experience	\$20.25 Per Hour
Greater than One (1) Year Experience	\$19.75 Per Hour
Entry Level	\$19.00 Per Hour

The Department Head of the Street Department will be provided a Town vehicle to take home within a five (5) mile radius of the Town limits of the Town of Geneva.

WATER WORKS DEPARTMENT

Water Department Personnel:

	Greater than Seven (7) Years Experience	\$25.00 Per Hour
	Greater than Six (6) Years Experience	\$24.25 Per Hour
DSM and WT3 Certs.	Greater than Five (5) Years Experience	\$23.75 Per Hour
	Greater than Four (4) Years Experience	\$22.25 Per Hour
DSM Certification	Greater than Three (3) Years Experience	\$21.75 Per Hour
	Greater than Two (2) Years Experience	\$20.25 Per Hour
	Greater than One (1) Year Experience	\$19.75 Per Hour
	Entry Level	\$19.00 Per Hour

If an employee's certification is not completed prior to the three (3) or five (5) year certification dates set forth above, then pay for said employee shall be calculated on the year of experience prior to the date of the required certification rather than the years of total experience.

The Department Head of the Water Works Department will be provided a Town vehicle to take home within a five (5) mile radius of the Town limits of the Town of Geneva.

Water Department Certifications:

DSM Certification - Greater than Three (3) Years Experience
(To be certified within one (1) year after first attempt)
WT3 Certification - Greater than Five (5) Years Experience
(To be certified within one (1) year after first attempt)

The Town of Geneva will pay for the first certification attempt. If an employee is not certified after three (3) attempts, the Town will need to decide whether to retain or replace the employee.

The Town of Geneva will pay for the books, classes, and testing fee for the first attempt, and the wages and vehicle for each testing day.

The Operator who is listed on the IDEM permit will be responsible for the signing of all paperwork filed with the Department.

WASTE WATER (SEWAGE) DEPARTMENT

Waste Water Department Personnel:

	Greater than Seven (7) Years Experience	\$25.00 Per Hour
	Greater than Six (6) Years Experience	\$24.25 Per Hour
	Greater than Five (5) Years Experience	\$23.75 Per Hour
	Greater than Four (4) Years Experience	\$22.25 Per Hour
CL1 Certification	Greater than Three (3) Years Experience	\$21.75 Per Hour
	Greater than Two (2) Years Experience	\$20.25 Per Hour
	Greater than One (1) Year Experience	\$19.75 Per Hour
	Entry Level	\$19.00 Per Hour

If an employee's certification is not completed prior to the three (3) year certification date set forth above, then pay for said employee shall be calculated on the year of experience prior to the date of the required certification rather than the years of total experience.

The Department Head of the Waste Water (Sewage) Department will be provided a Town vehicle to take home within a five (5) mile radius of the Town limits of the Town of Geneva.

Waste Water Department Certification:

CL1 Certification - Greater than Three (3) Years Experience
(To be certified within one (1) year after first attempt)

The Town of Geneva will pay for the first certification attempt. If an employee is not certified after three (3) attempts, the Town will need to decide whether to retain or replace the employee.

The Town of Geneva will pay for the books, classes, and testing fee for the first attempt, and the wages and vehicle for each testing day.

The Operator who is listed on the IDEM permit will be responsible for the signing of all paperwork filed with the Department.

MARSHAL OFFICE (SALARIED)

Town Marshal (Based on Experience): \$54,220.00 to 57,863.00

Chief Deputy Marshal (Based on Experience): \$50,260 to 54,431.00

Deputy Marshal:

Greater than Seven (7) Years Experience	\$51,590.00
Greater than Six (6) Years Experience	\$50,848.00
Greater than Five (5) Years Experience	\$50,098.00
Greater than Four (4) Years Experience	\$49,348.00
Greater than Three (3) Years Experience	\$48,590.00
Greater than Two (2) Years Experience	\$47,878.00
Greater than One (1) Year Experience	\$46,878.00
Entry Level with ILEA	\$45,643.00
Entry Level without ILEA	\$44,408.00
Part Time with ILEA (No Benefits)	\$25.00 Per Hour

The Marshal, as well as the deputy marshals, will be provided a police vehicle to take home within a five (5) mile radius of the Town limits of the Town of Geneva.

Upon being hired by the Town, a Marshal or Deputy Marshal shall hold a probationary position for a period of one (1) year.

The Board of Trustees of the Town may, in its sole discretion, with approval prior to such certification, approve a stipend in the sum of \$1,000.00 for additional law enforcement certifications.

Any Active Reserve officer who is subpoenaed to testify in court and must miss employment in order to do so shall be paid \$19.35 per hour for the time that said officer is fulfilling the subpoena.

DEPARTMENT OF LAW

Town Attorney:

\$9,000.00

In addition to the regular salary of the Town Attorney, it is hereby established that the town attorney shall be paid Two Hundred Dollars (\$200.00) per hour for representation of the Town of Geneva, its agencies, boards, officers and employees in all matters of litigation and bond proceedings and before or involving State and Federal agencies.

DEPARTMENT OF ADMINISTRATION

Deputy Clerk-Treasurer:

Up to 1,500 Hours	Greater than Seven (7) Years Experience	\$18.75 Per Hour
	Greater than Six (6) Years Experience	\$18.50 Per Hour
	Greater than Five (5) Years Experience	\$18.25 Per Hour
	Greater than Four (4) Years Experience	\$18.00 Per Hour
	Greater than Three (3) Years Experience	\$17.75 Per Hour
	Greater than Two (2) Years Experience	\$17.50 Per Hour
	Greater than One (1) Year Experience	\$17.25 Per Hour
	Entry Level	\$17.00 Per Hour

FIRE DEPARTMENT

The Volunteer Fire Department of the Town of Geneva shall receive the following total compensation of \$18,058.00 for practices, fire fighting and trainings, with said compensation being divided as follows:

Fire Chief 24%

Assistant Fire Chief (2) 6.5%

Divided Equally Between Other Active Firefighters 63%

Compliance with Fair Labor Standards Act. Payment for Firefighters employed full time by the Town. Notwithstanding any other terms for payment for practices, fire fighting and training, and in compliance with the Fair Labor Standards Act, the compensation will be calculated and paid to those volunteer firemen who are full time employees of the Town at the time of such performance of work pursuant to 29 CFR §778.415 through §778.421. and to the following provisions.

1. Where a full time employee in a single workweek works at two or more different types of work for which different non-overtime rates of pay (of not less than the applicable minimum wage) have been established, his regular rate for that week shall be the weighted average of such rates. The employee's total earnings (except statutory exclusions) shall be computed to include his compensation during the workweek from all such rates, and shall be then divided by the total number of hours worked at all jobs.

2. An hourly rate will be regarded as a bona fide rate for a particular kind of work it is equal to or greater than the applicable minimum rate therefore and if it is the rate actually paid for such work when performed during non-overtime hours.

Payment. By November 1 of each calendar year, the Geneva Volunteer Fire Department shall report to the Town the roster of Firefighters and how many months in the calendar year that each Firefighter has been active. The Clerk Treasurer shall then pay each firefighter compensation on or before November 30th of such calendar year. The Geneva Volunteer Fire Department shall be responsible to provide to the Clerk Treasurer with documentation, as requested, verifying requests for payment and certifying the firefighter's successful completion of training events.

MISCELLANEOUS

Part Time Hourly (Seasonal):

First Year	\$14.00 Per Hour
Second Year	\$15.00 Per Hour
Third Year	\$16.00 Per Hour
Fourth Year (or more)	\$17.00 Per Hour

Town Hall Custodian:

Four (4) Week Month	\$125.00 Per Month
Five (5) Week Month	\$175.00 Per Month

Other Part Time Hourly (Not Seasonal):

Up to 1,500 Hours	Greater than Seven (7) Years Experience	\$18.75 Per Hour
	Greater than Six (6) Years Experience	\$18.50 Per Hour
	Greater than Five (5) Years Experience	\$18.25 Per Hour
	Greater than Four (4) Years Experience	\$18.00 Per Hour
	Greater than Three (3) Years Experience	\$17.75 Per Hour
	Greater than Two (2) Years Experience	\$17.50 Per Hour
	Greater than One (1) Year Experience	\$17.25 Per Hour
	Entry Level	\$17.00 Per Hour

SECTION II - ADDITIONAL COMPENSATION FOR EMPLOYEE CERTIFICATION AND SPECIALIZED TRAINING

Employees who hold an optional water or wastewater certification or licensing as of January 1, 2022, shall receive \$0.70 per hour additional compensation for each of said licenses and/or certifications. Employees who hold pesticide licensing as of January 1, 2022, shall receive \$0.45 per hour additional compensation for said licensing. No employee of the Town shall take

any such optional certification or licensing without prior approval of the Board of Trustees of the Town.

SECTION III - ADDITIONAL COMPENSATION FOR LONGEVITY

Town of Geneva employees averaging over 1,000 work hours per year shall receive an additional \$50.00 longevity compensation for each continuous year of service rendered to the Town, said longevity compensation commencing upon completion of the employee's seventh (7th) year of service to the Town. Said longevity compensation shall be paid the third (3rd) week of December of each year.

SECTION IV - CLOTHING ALLOWANCES

A. Marshal Office Clothing Allowance:

A full time Town Marshal, Chief Deputy, and Deputies with or without Indiana Law Enforcement Academy training shall be granted a clothing allowance of \$90.00 each per month up to \$1,080.00 per calendar year.

B. Fire Department Clothing and Car Allowances:

The Fire Department shall be entitled to a clothing / vehicle allowance of \$8,710.00 for the calendar year of 2022. This sum shall be divided equally between all active members of the Fire Department.

C. Police Reserve Clothing Allowance: Police reserves shall be granted a clothing allowance of \$109.20 each per month of active service up to a total of \$1,310.00 per calendar year.

D. Full Time Workforce Manager and Full Time Utility Clothing Allowance: A full-time Workforce Manager and a full-time utility employee shall be granted a clothing allowance of \$125.00 each per quarter up to \$500.00 per calendar year.

E. Part Time Utility Clothing Allowance: A part-time utility employee and a part-time Workforce Manager shall be granted a clothing allowance of \$62.50 each per quarter up to \$250.00 per calendar year.

F. Seasonal Clothing Allowance: Seasonal employees shall receive three (3) shirts and a safety vest.

SECTION V - OVERTIME AND COMPENSATORY TIME PROVISIONS

When operating requirements or other needs cannot be met during regular working hours, employees will be given the opportunity for overtime work assignments. All overtime work must receive prior authorization and approval from the Workforce Manager or the Clerk-Treasurer.

Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the work. When overtime work is assigned by the Town of Geneva on a Saturday, Sunday or holiday, it generally will be assigned on a weekly rotation. Overtime for all nonexempt employees will be paid after the first forty (40) hours of work each week at the rate of time and a half. Paid time off (vacation benefits, sick leave benefits, holidays, personal days, etc.) will not be counted as hours worked toward the total of forty (40) hours in any one week for the calculation of overtime.

In lieu of paying overtime pay to eligible employees, the Town of Geneva may recognize the use of "compensatory time" for nonexempt employees. Compensatory time will be paid at one and one-half hours worked over forty (40) hours in a standard workweek and non-exempt employees may accumulate up to forty (40) hours of compensatory time which will equal sixty (60) hours of work time. All compensatory time must be used during the calendar year in which it was earned and may not be carried over from year to year. Employees must request the use of compensatory time from the Workforce Manager (if applicable) or the Clerk-Treasurer. The Clerk-Treasurer will keep verifiable records of overtime worked which will include the date, hours worked, reason for the overtime and a record of compensatory time used. Compensatory time may be paid out at the end of the year, or upon request. An employee who separates employment with the Town of Geneva will be paid for any accumulated compensatory time. Compensatory time cannot be used to extend the date of separation. The last day an employee is actively on the job working for the Town of Geneva is the employee's last day of employment.

SECTION VI – CELL PHONE STIPEND

The Town of Geneva shall pay each full time employee a quarterly stipend of \$60.00. This stipend shall be paid in March, June, September and December.

SECTION VII HOLIDAY, VACATION, PERSONAL TIME OFF AND SICK LEAVE BENEFITS

Holiday:

Employees shall receive twelve (12) paid holidays per year, said holidays being: New Year's Day, Presidents Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, and New Year's Eve.

Vacation:

Full Time Employees:	Greater than One (1) Year of Employment	5 Days or 40 Hours
	Greater than Two (2) Years of Employment	10 Days or 80 Hours
	Greater than Seven (7) Years of Employment	15 Days or 120 Hours
	Greater than Fifteen (15) Years of Employment	20 Days or 160 Hours

Part Time Employees:	Greater than One (1) Year of Employment	3 Days or 24 Hours
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Greater than Two (2) Years of Employment	6 Days or 48 Hours
Greater than Seven (7) Years of Employment	9 Days or 72 Hours
Greater than Fifteen (15) Years of Employment	12 Days or 96 Hours

* Unused vacation days will be lost upon the employee's anniversary date or shall be paid out at the time of termination of employment before such anniversary date.

Personal Time Off:

Full Time Employees:	24 Hours Per Year
Part Time Employees:	12 Hours Per Year

* Unused personal time off will be lost at the end of each year and shall not be paid out at the time of termination of employment.

Sick Leave:

Full Time Employees: Four (4) Hours Per Month up to Six (6) Days Per Year. Up to Thirty (30) Days (240 Hours) of unused sick leave may be accumulated and carried over to succeeding years.

Part Time Employees: Two (2) Hours Per Month up to Twenty-Four (24) Hours Per Year. Up to Fifteen (15) Days (120 Hours) of unused sick leave may be accumulated and carried over to succeeding years.

* Unused sick leave days shall be lost and not be paid out at the time of termination of employment.

SECTION VIII - INSURANCE BENEFITS

Full time employees of the Town shall contribute \$1.00 per year, and the Town shall pay for all additional premiums for the medical, dental, vision, short-term disability, life (\$25,000 coverage), accidental death and dismemberment (\$25,000.00 coverage), and employee assistance insurance premiums with the insurance carrier or carriers approved by the Town covering all full time employees. The employees shall pay for any additional family coverage.

SECTION IX – INDIANA PUBLIC RETIREMENT BENEFITS


Eligible full-time employees who work in covered positions with the Town will be covered by the Indiana Public Retirement System (INPRS). The benefits, costs, and administration are determined by current INPRS directives.

SECTION X - EFFECTIVE DATE

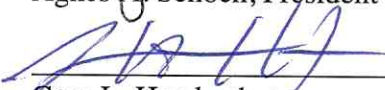
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect from and after its passage.

Duly passed, adopted and resolved by the Common Council of the Town of Geneva, State of Indiana, on September 13, 2022.

COMMON COUNCIL OF THE TOWN OF GENEVA




Agnes A. Schoch, President



Gary L. Hendershot



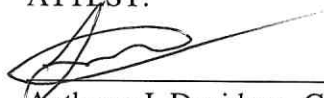
Arlen R. Mitchell



Marvin R. Schwartz

James A. Timmons

ATTEST:



Anthony J. Davidson, Clerk-Treasurer

ORDINANCE NO. 2022-11

**AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND
ACCOMPANYING MAP THERETO KNOWN AS THE GENEVA INDIANA ZONING
ORDINANCE BY CHANGING THE CLASSIFICATION OF
THE ZONE DISTRICT FOR A PARCEL OF LAND**

Whereas Adams County Memorial Hospital, being all of the property owners of the parcel of land, as hereafter described, have signed a petition initiating a proposal to change the Town of Geneva Zoning Map incorporated by reference into the Town of Geneva Zoning Ordinance by changing the classification ; and

Whereas, the proposal was prepared consistent with the requirements of I.C. 36-7-4-601; and

Whereas, the Town of Geneva Plan Commission and the Common Council of the Town of Geneva have paid reasonable regard to the comprehensive plan, current conditions and the character of current structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout the jurisdiction and responsible growth and development; and

Whereas, the Town of Geneva Plan Commission held a public hearing, giving notice of the hearing by publication under I.C. 5-3-1, which notice and hearing complied with the terms and provisions of I.C. 36-7-4-604; and

Whereas, on September 13, 2020, the Town of Geneva Plan Commission certified the proposal to the Town of Geneva Common Council with a favorable recommendation with in accordance with I.C. 36-7-4-605; and

Whereas the Common Council of the Town of Geneva, in accordance with I.C. 36-7-4-608, and at the first regular meeting of the legislative body after the proposal is certified under section I.C. 36-7-4-605 (or at a subsequent meeting within a ninety (90) day period), the Common Council may adopt or reject the proposal and the legislative body has given notice under I.C. 5-

14-1.5-5 of its intention to consider the proposal at this meeting of the Common Council.

NOW THEREFORE, The Common Council of the Town of Geneva hereby ordains and enacts:

SECTION I

The Geneva Indiana Zoning Ordinance, as amended and restated, and accompanying map thereto, is hereby amended insofar as the same relates to the following described parcel of land by changing the classification of the zone from a R-1 zone (Single Family Residential Zone) to an B-1 zone (Neighborhood Business Zone) classification:

Part of the Southeast Quarter of Section 20, Township 25 North, Range 14 East of the Second Principal Meridian, Wabash Township in Adams County, Indiana, based on an original survey by Brett R. Miller, Indiana Professional Surveyor Number 20300059 of Miller Land Surveying, Inc., Survey No. 19105321, dated November 27, 2019 and being more particularly described as follows:

Commencing at a railroad spike marking the Northeast corner of said Southeast Quarter; thence South 88 degrees 12 minutes 02 seconds West (Indiana East SPC, 1983 bearing and basis of bearings to follow), a distance of 195.64 feet along the North line of said Southeast Quarter and within the right-of-way of County Road 950 South to the West right-of-way line of U.S. Highway Number 27, said point being the POINT OF BEGINNING of the herein described tract; thence South 04 degrees 39 minutes 03 seconds West, a distance of 357.23 feet along said West right-of-way line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap on the North line of an existing 0.66 acre tract described in Document Number 2016001179 in the Office of the Recorder of Adams County, Indiana; thence South 88 degrees 12 minutes 02 seconds West, a distance of 233.00 feet (Deed) along said North line also being parallel with the North line of said Southeast Quarter to a 5/8" steel rebar with a "Miller Firm #0095" identification cap on the North line of an existing 0.84 acre tract described in said Document Number 2016001179; thence South 83 degrees 32 minutes 44 seconds West, a distance of 357.00 feet (Deed) along said North line to the shoreline of Lake of the Woods; thence North 33 degrees 29 minutes 38 seconds West, a distance of 74.43 feet along said shoreline; thence North 01 degrees 01 minutes 15 seconds East, a distance of 321.00 feet to a Dura Nail with a "Miller Firm #0095" identification ring on the North line of said Southeast Quarter; thence North 88 degrees 12 minutes 02 seconds East, a distance of 652.26 feet along said North line and within the right-of-

way of County Road 950 South to the Point of Beginning. Containing 5.338 acres, more or less. Subject to the right-of-way of County Road 950 South, and subject to easements of record.

Survey Job #19105321

Date: November 27, 2019

Miller Land Surveying, Inc.

SECTION II


This Ordinance shall be in full force and effect from and after its passage and due publication.

SECTION III

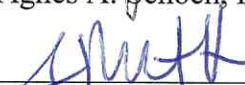
The Town of Geneva Plan Director is authorized and directed to update the zone map that is kept available under I.C. 36-7-4-610 and shall keep a copy of this Amendatory Ordinance available at its office for public inspection.

Duly passed, adopted and resolved by the Common Council of the Town of Geneva, State of Indiana, on October 11, 2022.

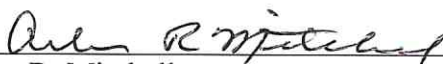
COMMON COUNCIL OF THE TOWN OF GENEVA




Agnes A. Schoch, President



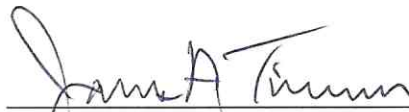
Gary L. Hendershot



Arlen R. Mitchell



Marvin R. Schwartz


James A. Timmons

ATTEST:


Anthony J. Davidson, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless otherwise required by law. DAVID N. BAUMGARTNER

PREPARED IN THE LAW OFFICES OF
BAUMGARTNER
ATTORNEYS PC

BY DAVID N. BAUMGARTNER

360 WEST MAIN STREET • BERNE, IN 46711-1436
TELEPHONE: (260) 589-3139 • FAX: (260) 589-3130
EMAIL: DBAUM@BAUMGARTNERATTORNEYS.COM

ORDINANCE NO. 2022-12

**AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND
ACCOMPANYING MAP THERETO KNOWN AS THE GENEVA INDIANA ZONING
ORDINANCE BY CHANGING THE CLASSIFICATION OF
THE ZONE DISTRICT FOR A PARCEL OF LAND IN THE FRINGE AREA**

Whereas Red Gold, Inc., being all of the property owners of the parcel of land, as hereafter described, have signed a petition initiating a proposal to change the Town of Geneva Zoning Map incorporated by reference into the Town of Geneva Zoning Ordinance by changing the classification; and

Whereas, said property parcel is within the fringe area of the Town of Geneva; and

Whereas, the proposal was prepared consistent with the requirements of I.C. 36-7-4-601;
and

Whereas, the Town of Geneva Plan Commission and the Common Council of the Town of Geneva have paid reasonable regard to the comprehensive plan, current conditions and the character of current structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout the jurisdiction and responsible growth and development; and

Whereas, the Town of Geneva Plan Commission held a public hearing, giving notice of the hearing by publication under I.C. 5-3-1, which notice and hearing complied with the terms and provisions of I.C. 36-7-4-604; and

Whereas, on October 11, 2022, the Town of Geneva Plan Commission certified the proposal to the Town of Geneva Common Council with a favorable recommendation with in accordance with I.C. 36-7-4-605; and

Whereas the Common Council of the Town of Geneva, in accordance with I.C. 36-7-4-608, and at the first regular meeting of the legislative body after the proposal is certified under

section I.C. 36-7-4-605 (or at a subsequent meeting within a ninety (90) day period), the Common Council may adopt or reject the proposal and the legislative body has given notice under I.C. 5-14-1.5-5 of its intention to consider the proposal at this meeting of the Common Council.

NOW THEREFORE, The Common Council of the Town of Geneva hereby ordains and enacts:

SECTION I

The Geneva Indiana Zoning Ordinance, as amended and restated, and accompanying map thereto, is hereby amended insofar as the same relates to the following described parcel of land by changing the classification of the zone from a A-1 zone (Agricultural Zone) to an I-1 zone (Industrial Zone) classification:

Part of the East Half of the Southeast Quarter of Section 32, Township 25 North, Range 14 East, Adams County, Indiana described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said Section 32; thence North 88 degrees 19 minutes 19 seconds East (State Plane Grid Basis of Bearing), along the South line of said Southeast Quarter, also being the centerline of South County Line Road, a distance of 1,584.13 feet to the Point of Beginning; thence North 01 degree 40 minutes 41 seconds West, 325 feet; thence South 88 degrees 19 minutes 19 seconds West, 76 feet; thence North 01 degree 40 minutes 41 seconds West, 375 feet; thence North 88 degrees 19 minutes 19 seconds East, 960 feet; thence South 01 degree 40 minutes 41 seconds East, 700 feet to a point on the South line of said Southeast Quarter; thence South 88 degrees 19 minutes 19 seconds West, along said line, 884 feet to the Point of Beginning, containing 14.86 acres, more or less.

SECTION II


This Ordinance shall be in full force and effect from and after its passage and due publication.

SECTION III

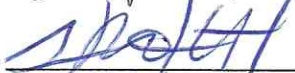
The Town of Geneva Plan Director is authorized and directed to update the zone map that is kept available under I.C. 36-7-4-610 and shall keep a copy of this Amendatory Ordinance available at its office for public inspection.

Duly passed, adopted and resolved by the Common Council of the Town of Geneva, State of Indiana, on October 11, 2022.

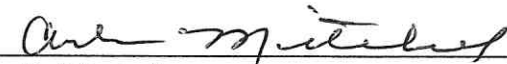
COMMON COUNCIL OF THE TOWN OF GENEVA



Agnes A. Schoch, President



Gary L. Hendershot



Arlen R. Mitchell



Marvin R. Schwartz



James A. Timmons

ATTEST:



Anthony J. Davidson, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless otherwise required by law. DAVID N. BAUMGARTNER

PREPARED IN THE LAW OFFICES OF
BAUMGARTNER

A T T O R N E Y S PC

BY DAVID N. BAUMGARTNER

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**FINDINGS OF TOWN OF GENEVA PLAN COMMISSION REGARDING
THE PETITION TO AMEND ZONING MAP
APPLICANT ADAMS MEMORIAL HOSPITAL**

The Town of Geneva Plan Commission met at 5:00 p.m. on September 13, 2022, at the Geneva Town Hall, for a hearing upon the Petition to Amend Zoning Map submitted by Adams Memorial Hospital at the southwest corner of the intersection of US Highway 27 and County Road 950 South, Geneva, Indiana, being Tax Parcel #01-11-20-400-004.600-019, and being 5.338 Acres in the East Half of the Southeast Quarter of Section 20, Township 25 North, Range 14 East, Town of Geneva, Adams County, Indiana, requesting the zoning of said tract to be modified from R-1 zone (Single Family Residential Zone) to an B-1 zone (Neighborhood Business Zone).

The Commission received testimony and held discussion thereon, and after considering the following:

1. the comprehensive plan;
2. current conditions and the character of current structures and uses in the district;
3. the most desirable use for which the land in each district is adapted;
4. the conservation of property values throughout the jurisdiction; and
5. responsible development and growth;

the Town of Geneva Plan Commission hereby recommends and certifies to the Town of Geneva Common Council that this Petition to Rezone said tract from R-1 zone (Single Family Residential Zone) to a B-1 zone (Neighborhood Business Zone) should be approved.

Adopted September 13 , 2022.

TOWN OF GENEVA PLAN COMMISSION

Andrew Briggs [L] [SEP]

LWB [L] [SEP]

Imy Hock [L] [SEP]

[L] [SEP] *Chris Hawbaker* [L] [SEP]

Ms. Hunt [L] [SEP]

[L] [SEP]

[L] [SEP]

[L] [SEP]

[L] [SEP]

FINDING OF FACTS FOR PROPERTY REZONING

Applicant: Adams Memorial


The Plan Commission of the Town of Geneva, Indiana, finds that:

1. The proposed rezoning ~~(is/is not)~~ consistent with the land use policies contained in the Comprehensive Plan because:
Planned rezoning complies with Geneva's Comprehensive Plan.
2. The proposed rezoning ~~(is/is not)~~ compatible with the current conditions and the character of current structures and uses in the area because:
Business already exists in immediate area.
3. The proposed rezoning ~~(will/will not)~~ be the most desirable use for which the land in the area is adapted because:
will limit amount of undesirable growth in area.
4. The proposed rezoning ~~(will/will not)~~ conserve property values in the area because:
will have no negative effect and may even enhance property values
5. The proposed rezoning ~~(will/will not)~~ represent responsible growth and development in the area because:
The community has overwhelming support for this proposal

It is therefore the decision of this Commission that this Petition is ~~granted/denied~~ subject to any conditions stated herein above.

Adopted this 13th day of September, 2022.

Attest:


Secretary

ORDINANCE NO. 2022-13

**AN ORDINANCE ESTABLISHING AN
OPIOID FUND - UNRESTRICTED**

WHEREAS, the Town of Geneva has been notified of its pending receipt of certain funds as a participating political subdivision from a national settlement with Johnson & Johnson, AmerisourceBergen, Cardinal Health and McKesson relating to opioid prescription and addiction; and

WHEREAS, a separate fund is necessary to properly account for the receipts and disbursements of monies received from such settlement.

NOW THEREFORE, The Common Council of the Town of Geneva hereby ordains and enacts:

SECTION I: FUND ESTABLISHED.

There is hereby established the Opioid Settlement Fund - Unrestricted (Fund #2256), in accordance with the directives of the Indiana State Board of Accounts.

SECTION II: SOURCES OF FUNDING.

The source of funding includes the unrestricted portion of Opioid Settlement Funds received from the State of Indiana by the Town as a participating political subdivision from a national settlement with Johnson & Johnson, AmerisourceBergen, Cardinal Health and McKesson.

SECTION III: USE OF FUNDING.

A. That expenditures may be made from the fund by appropriation by the Common Council of the Town for any purpose approved by such Town Council.

SECTION IV: AMENDMENTS.

This ordinance may be amended from time to time if additional guidance is received from any federal or state agency regarding the funding and/or use of said funds.

SECTION V: TERMINATION.


That this fund shall be a perpetual fund until terminated by future ordinance, and any funds remaining at time of termination shall be returned to general fund of the Town.

SECTION VI: EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage.

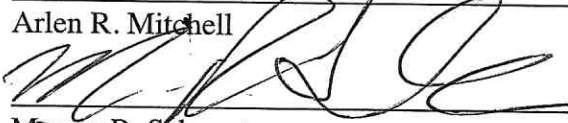
Duly passed, adopted and resolved by the Common Council of the Town of Geneva, State of Indiana, on November 8, 2022.

COMMON COUNCIL OF THE TOWN OF GENEVA

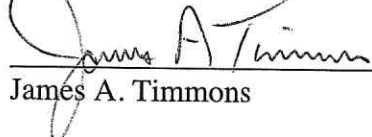


Agnes A. Schoch, President

Gary L. Hendershot


Arlen R. Mitchell


Marvin R. Schwartz



James A. Timmons

ATTEST:



Anthony J. Davidson, Clerk-Treasurer

ORDINANCE NO. 2022-14

**AN ORDINANCE ESTABLISHING AN
OPIOID FUND - RESTRICTED**

WHEREAS, the Town of Geneva has been notified of its pending receipt of certain funds as a participating political subdivision from a national settlement with Johnson & Johnson, AmerisourceBergen, Cardinal Health and McKesson relating to opioid prescription and addiction; and

WHEREAS, a separate fund is necessary to properly account for the receipts and disbursements of monies received from such settlement.

NOW THEREFORE, The Common Council of the Town of Geneva hereby ordains and enacts:

SECTION I: FUND ESTABLISHED.

There is hereby established the Opioid Settlement Fund - Restricted (Fund #2257), in accordance with the directives of the Indiana State Board of Accounts.

SECTION II: SOURCES OF FUNDING.

The source of funding includes the unrestricted portion of Opioid Settlement Funds received from the State of Indiana by the Town as a participating political subdivision from a national settlement with Johnson & Johnson, AmerisourceBergen, Cardinal Health and McKesson.

SECTION III: USE OF FUNDING.

That expenditures may be made from the fund by appropriation by the Common Council of the Town for any purpose approved by such Town Council from the Core Strategies, Approved Uses and Other Strategies as set forth in Exhibit E attached hereto and incorporated herein by reference.

SECTION IV: AMENDMENTS.

This ordinance may be amended from time to time if additional guidance is received from any federal or state agency regarding the funding and/or use of said funds.

SECTION V: TERMINATION.


That this fund shall be a perpetual fund until terminated by future ordinance, and any funds remaining at time of termination shall be returned to general fund of the Town.

SECTION VI: EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage.

Duly passed, adopted and resolved by the Common Council of the Town of Geneva, State of Indiana, on November 8, 2022.

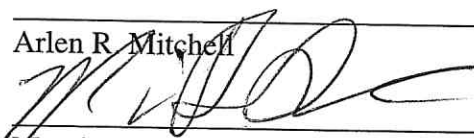
COMMON COUNCIL OF THE TOWN OF GENEVA



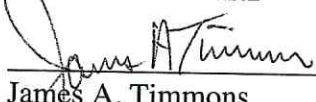
Agnes A. Schoch, President

Gary L. Hendershot

Arlen R. Mitchell




Marvin R. Schwartz



James A. Timmons

ATTEST:



Anthony J. Davidson, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless otherwise required by law. DAVID N. BAUMGARTNER

PREPARED IN THE LAW OFFICES OF

BAUMGARTNER

ATTORNEYS PC

BY DAVID N. BAUMGARTNER

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2022 DEC 15 A 8:43

ORDINANCE NO. 2022-15

**AN ORDINANCE ELECTING THE PROVISIONS OF I. C. 36-4-6-5, I.C. 36-4-6-5(m)
AND DIVIDING THE TOWN OF GENEVA, INDIANA INTO COUNCIL ELECTION
DISTRICTS FOR PURPOSES OF ELECTION TO AND MEMBERSHIP IN THE
COMMON COUNCIL OF THE TOWN OF GENEVA, INDIANA**

WHEREAS, the legislative body of the Town of Geneva, Indiana heretofore divided the Town of Geneva into council election districts, and is required to again redistrict in 2022; and

WHEREAS, the Town of Geneva, by ordinance adopted after June 30, 2022 and during a year in which an election of the legislative body will not occur, may decide to be governed by I.C. 36-4-6-5 which ordinance adopted shall apply to the first election of the legislative body of the Town of Geneva after the ordinance is adopted; and

WHEREAS, the Town of Geneva Common Council determines that the exceptions as set out in I.C. 36-4-6-5(c) and I.C. 36-4-6-5(d) both apply which permit the town legislative districts as hereafter described may cross precinct boundary lines; and

WHEREAS, the clerk of the Town of Geneva has mailed a written notice to the circuit court clerk stating the legislative body is considering the adoption of an ordinance described by I.C. 36-4-6-5(c) and I.C. 36-4-6-5(d) which was mailed not later than ten (10) days before the legislative body adopts the ordinance; and

WHEREAS, the population of the Town of Geneva being less than seven thousand (7,000) and the Town of Geneva having adopted a resolution before May 7, 1991, the Common Council of the Town of Geneva now desires to continue an election process that permits each voter of the Town to vote for two (2) candidates-at-large and one (1) candidate from each of its three Council Districts pursuant to I.C. 36-4-6-5(m) and to be bound by I.C. 36-4-6-5 instead of I.C. 36-4-6-4; and

WHEREAS, pursuant to I.C. 36-4-6-5(m) also permits districts established in such towns to cross precinct boundary lines,

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Town of Geneva, Indiana that I.C. 36-4-6-5 shall govern the legislative body elections in the Town of Geneva and the election districts shall be divided under and pursuant to I.C. 36-4-6-5(b).

BE IT FURTHER ORDAINED that, pursuant to I.C. 36-4-6-5(h), the legislative body of the Town of Geneva shall be composed of three (3) members elected from the districts established under I.C. 36-4-6-5(b) and two (2) at-large members.

BE IT FURTHER ORDAINED that the population of the town being less than seven thousand (7,000), and the Town of Geneva having adopted a resolution before May 7, 1991, the Common Council of the Town of Geneva elects the provisions of I.C. 36-4-6-5(m) and the election

process shall continue to permit each voter of the town to vote for two (2) candidates-at-large and one (1) candidate from each of its three (3) council districts. The at-large candidates and the candidate from each district receiving the most votes from the whole town shall be elected to the legislative body.

BE IT FURTHER ORDAINED that the boundary of town legislative body may cross precinct lines because (a) more than one (1) member of the legislative body elected from the districts established by I.C. 36-4-6-5(b) resides in one (1) precinct established under I.C. 3-11-1.5 after the most recent municipal election and following the establishment of the legislative body district whose boundary crosses a precinct boundary line, not more than one (1) member of the legislative body elected from the districts resides within the same town legislative body district; (b) the districts would not otherwise contain, as nearly as is possible, equal population and (c) the town has elected the provisions of I.C. 36-4-6-5(m).

BE IT FURTHER ORDAINED by the Common Council of the Town of Geneva that under and pursuant to I.C. 36-4-6-5(b) the Town of Geneva, Indiana is hereby divided into three (3) legislative body election districts, each being composed of contiguous territory, being reasonably compact, which do not cross precinct boundary lines except as permitted in I.C. 36-4-6-5(c), I.C. 36-4-6-5(d) and I.C. 36-4-6-5(m) and which contain, as nearly as is possible, equal population, as follows:

First Legislative Body District. The first district shall consist of all that territory lying north of Line Street and west of U. S. Highway 27 (Main Street), all in the Town of Geneva, Indiana.

Except therefrom the territory described specifically as follows:

Commencing at the intersection of Line Street and U. S. Highway 27 (Main Street), then extending north on and along the middle of U. S. Highway 27 (Main Street) to Butcher Street; thence west on and along the middle of Butcher Street to Winchester Street; thence south on and along the middle of Winchester Street to Line Street; thence east on and along the middle of Line Street to the commencement point, all in the Town of Geneva, Indiana.

Second Legislative Body District. The second district shall consist of all that territory lying north of Line Street and east of U. S. Highway 27 (Main Street), all in the Town of Geneva, Indiana.

Third Legislative Body District. The third district shall consist of all that territory lying south of Line Street, all in the Town of Geneva, Indiana.

The third district shall also consist of all that territory lying north of Line Street and west of U. S. Highway 27 (Main Street) and within the territory described specifically as follows: Commencing at the intersection of Line Street and U. S. Highway 27 (Main Street), then extending north on and along the middle of U. S. Highway 27 (Main Street) to Butcher Street; thence west on and along the middle of Butcher Street to Winchester Street; thence

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HAINBON RD
WINCHESTER ST
WABASH
S 200 W

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