

## **TOWN OF GENEVA COUNCIL**

July 12, 2022 at 6:30 P.M.

The Council President asked those present to please rise for the Pledge of Allegiance.

President, Agnes Schoch, called the meeting to order. Roll call showed Council members Marvin Schwartz, Gary Hendershot, Arlen Mitchel, Agnes Schoch, Jim Timmons, Town Attorney Dave Baumgartner and Clerk-Treasurer Anthony Davidson

**PRESENT:** General Public: Tony Lothridge, Gabe Schwartz, Zach Hess, Tyler Ritter - Butz, Shaun Fosnaugh Lynn Burry, Allen Mann, Jason and Takoa Banter, Jessica Miller Represented the Berne Witness and Justin Ayers Represented the Decatur Daily Democrat.

**On a motion:** by Marvin Schwartz, seconded by Arlen Mitchel, and passed unanimously, the Council approved the minutes from the June 14<sup>th</sup> 2022 meeting.

**Citizen:** Jason and Takoa Banter from the Kuhn's Den: Takoa asked the council to close the streets off for an event on Friday July 15<sup>th</sup> 2022. They asked to close Line Street from Railroad to High street: Set up at 5pm down by 10pm. Discussion held by council, Marshal Hess was asked about getting the no parking signs after 4 pm on Friday, Marshall Hess said that he could do it. Council member Marvin Schwartz expressed some concern with having a business at will closing streets for events. Council President Agnes Schoch agreed with Marvin about the concern along with picking and choosing which events to allow and not to allow. Fire Chief Gabe Schwartz asked about making sure there was a fire lane for the events, Gabe was assured that the bikes for the event would be parked on the sides of the street so a lane for emergencies.

**The council approved the closing of High Street to Railroad street by town council consensus.**

**Geneva Planning Commission expiration dates:** Council President Agnes Schoch opened discussion for giving newly appointed members Lynn Burry and Kevin Huffman expiration dates. Currently we have 7 members, *Discussion held* with the council wanting members to stagger on and off the commission the discussion to have 3 members off in 2022 and 4 off in 2024. Tammy Hodle was off in 2023 but was moved to 2024.

**On a motion:** by Arlen Mitchel and was seconded by Gary Hendershot to update the expiration date and assign the expiration date for the Lynn Burry and Kevin Huffman. The motion passed unanimously.

**Geneva Board of Zoning appeals:** Lynn Burry has submitted a letter with a recommendation for the council to approve Mary Fields.

**On a motion:** by Marvin Schwartz, seconded by Arlen Mitchel to approve Mary Fields for the Geneva Board of Zoning appeals with the expiration date of 12/31/2024. The motion passed unanimously.

**Update from Utilities:** Work Force Supervisor Anthony Davidson let the council know Doug was on vacation and there wasn't a lot coming out of sewage, Doug was still waiting on quotes for projects to approach the council. Trent is currently working on quotes for the water station for the fire department. Anthony also let the council know that there was some vandalism done at the ML Dugout on the baseball diamond and the town guys would look at getting it fixed. Anthony also let the council know that Shawn and Don have been going around town and painting, trimming and pulling weeds to make the town look great for the upcoming 150-year celebration. Cody Conner has started his position on July 5 and has been working on training with Doug and Trent. Anthony has reached out to the county about the camera system and wanting to give an update however has not heard anything back yet. Trash cans have been put out uptown earlier in the day to help keep uptown clean. Councilmen Marvin Schwartz asked about trees being taken down around town and wanted to know the status of the project. Anthony let Marvin know he would touch base with Trent and get back with him. Councilmen Gary Hendershot asked about the mosquitos spraying, Anthony let the council know that the town has been monitoring the wind and will do it as soon as conditions are right. Shawn Fosnaugh who is licensed to spray mosquitos said that the wind has to be below 8 MPH and has to be done after sunset and before sunrise.

**Marshal Zach Hess:** reported for the Police Department. Fuel used was 462 gallons, Training in Berne June 20 for OC recertification. Department new hire interview the applicants is now down to 3. Tyler and Zach conducted home interviews with the applicants, Council President Agnes Schoch asked about an executive session for August 5, 6 pm giving council time with each applicant. Councilmen Marvin Schwartz asked if we have to interview the applicant or if we could come with a recommendation. Town Attorney Dave Baumgartner let Marvin know that in the town of this size the council is the safety board because of its size. Zach also let the town know that the Dodge Ram truck received a check from insurance for the damage and spoke about the 2 quotes he received. Loren's Body shop and Lehman's auto. Anthony Davidson let the council know that the quote from Loren's body shop could be more than the quote if he finds anything. Bruce Lehman at Lehman's Auto will work to stay within their quote.

**On a motion:** by Gary Hendershot, seconded by Marvin Schwartz, to have Lehman's Auto repair the Dodge Truck at the quoted price of \$9593.05 and passed unanimously.

**Marshal Zach Hess:** Continued that Officer Loren Swanson was injured this past Friday. Loren is out until July 14, and questioned if the council would use him on office duties instead of filing workmen's compensation. The council agreed to allow Loren Swanson to be on restricted duty per his doctors' letter from corporate medical.

**Fire Chief Gabe Schwartz:** reported 6 First Responder runs, 5 Fire calls. Training was as follows: First responder: Patient Packing and Fire: Pump Operations and Drafting. Chief Schwartz let council know that the fire department golf outing is September 10 at the Golf Course. Chief Schwartz mentioned the tabled item for Firemen's compensation. President Schoch let Chief Schwartz know that the council tabled the compensation conversation to see what funds would be available. Councilmen Jim Timmons said the council would like to do something but because of Anthony being new to the clerk position the it was tabled to see if anything could be done.

Gabe mentioned being worried about the year getting away and no decision made before and not leaving time to get the additional compensation to the firemen on the Geneva Fire Department. Gabe further broke down his personal expenses, Fuel use was a large part of his discussion and concern for the fire department. Gabe mentioned he did not care if his pay increased but wanted to make sure his firemen was given additional compensation. Gabe also reported that the Fire Department had an excellent fundraising breakfast out at Amishville.

**Geneva Chamber Report:** Chamber member Mary Fields reported how thankful the chamber is to the community for the incredible support. The chamber never imagined how much support businesses and personal donations would total. The Adams County Community foundation has given the Chamber money to help clean up the town. Mary mentioned if anyone needs help let the chamber know. Mary also was up in Berne asking the farmers market to come to Geneva for the celebration. Mary also let the council know that the concerts, fireworks, activities at the bridge, and all activities are free of charge. Mary also mentioned that Jeff Glancy has donated a new time capsule to be buried for the next 50-year celebration. Items to be put in the new capsule will have a \$5 fee. Mary also mentioned that if anyone would like to have their windows painted to let her know, there are 2-3 artists that would love to do it with historical things oil wells etc. Mary mentioned food trucks will need electricity to operate, and Travis Smith from Coppersmith is going to check Wednesday July 13, 2022 with rides and making sure we have enough power to support what is needed.

**Restarting the Geneva Park Board:** Councilmen Marvin Schwartz spoke about interest in restarting the park board and has people interested such as Jim Buckingham and Marvin mentioned he would like to serve as well. Councilmen Arlen Mitchel mentioned he has names as well, Don Walter and Trent Shaffer with Arlen making a 5-member board. President Agnes Schoch asked Town Attorney Dave Baumgartner what it would take to reinstate it. Attorney Baumgartner mentioned just drafting an ordinance and wanted to know how many members the council would like. Councilmen Hendershot mentioned it would be a big benefit to have especially with the TIF district having funds available to do projects at the park.

**On a motion:** by Marvin Schwartz, seconded by Arlen Mitchel, to have Attorney Dave Baumgartner draft an ordinance for reinstating the park board. Motion passed unanimously.

**Hub Building:** President Schoch asked Attorney Baumgartner if the town had to wait until the civil suit was complete for the town to take any action. Attorney Baumgartner said the town does not have to wait. The town has a budget of 35,000 in unsafe building, more discussion was held. Councilmen Marvin said Limberlost Diner owner has been in contact with Mark Wynn about what is happening, he was concerned that the length of time is now over 2 years. Attorney Baumgartner said he would have to look at the ordinance. President Schoch asked if TIF dollars could be used to purchase the building, and Attorney Baumgartner answered yes that TIF could be used. Attorney Baumgartner expressed concern of getting the building and not having the funds to solve the problems. Discussion was held about grants being obtained, Councilmen Hendershot asked Attorney Dave Baumgartner about contacting the attorney he spoke to about this, Attorney Baumgartner said he has not spoken to the other attorney in a 1 ½ years, but Attorney Baumgartner will try and reach out to the other attorney again and speak with Andrew Briggs.



**Councilmen Hendershot:** Brought concern to the council about Semi Trailers parking on streets in the town. Councilmen Hendershot also expressed concern from neighbors about children riding bikes and coming around the trailers and the dangers of it. Attorney Dave Baumgartner said he would look at the ordinance again and send it out to council. Chief Deputy Tyler Ritter Butz mentioned that there is a semi that he has been told has been parking 10 years. Councilmen Jim Timmons gave the history of the rule mentioning that it was written because semis were parking to close to the intersection.

A **On a motion:** by Marvin Schwartz, seconded by Jim Timmons, and passed unanimously, to Approve of the Bank Reconciliation.

A **On a motion:** by Marvin Schwartz, seconded by Jim Timmons, and passed unanimously, to approve the Accounts Payable Vouchers.

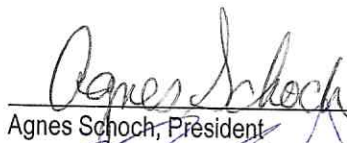
**Councilmen Marvin Schwartz:** asked where the town was at on the IDEM project. President Agnes Schoch mentioned that Baker Tilley has been in contact with the town about finding the funding for the project. Attorney Dave Baumgartner said that Baker Tilley will present to the council within the next month or so. Attorney Baumgartner spoke about the stages of the project, including the rate study, bond issuing and engineering then you can bid the job. President Agnes Schoch said council hopes to have something in place this fall.


**Attorney Dave Baumgartner:** spoke about the state eliminating the URT tax, the town of Geneva did a unified rate because it was all included and it did not break out that tax. Baker Tilley is aware of the rate study and they will back out the URT tax in the upcoming project.


**Councilmen Marvin Schwartz:** asked if we could remove the speed sign from the tabled section of the agenda. Discussion held.

**On a motion:** by Marvin Schwartz, seconded by Gary Hendershot, to remove the speed sign from consideration and passed unanimously.


A **On a motion:** by Marvin Schwartz, seconded by Gary Hendershot, and passed unanimously, to adjourn the monthly meeting.

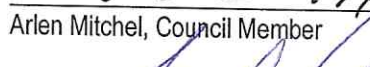
  
Agnes Schoch, President

  
Marvin Schwartz, Council Member

  
Gary Hendershot, Council Member

  
James Timmons, Vice President

  
Arlen Mitchel, Council Member

Attest:   
Anthony Davidson, Clerk-Treasurer