

ORDINANCE NO. 2021-1

AN ORDINANCE AMENDING CHAPTERS 93 OF THE TOWN OF GENEVA CODE OF ORDINANCES

WHEREAS, the Board of Trustees of the Town of Geneva has adopted the Town of Geneva Code of Ordinances which includes ordinances that restricts and governs acts which may be considered as nuisances in the Town; and

WHEREAS, Ordinance No. 2019-12 was passed in order to set forth, in a more uniform manner, restrictions and procedures dealing with common nuisances in the Town of Geneva; and

WHEREAS, the Board of Trustees of the Town of Geneva now believes that it would be beneficial to the Town and to its citizens for the procedure for the abatement of said public nuisances to be amended, specifically in §93.1.6, and that said amendment be codified in the Town of Geneva Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GENEVA, INDIANA THAT:

SECTION I. §93.1.6 of the Town of Geneva Code of Ordinances, is hereby amended to read as follows:

§ 93.1.6 Abatement of Public Nuisances.

- (a) **Inspection of premises.** Whenever a written complaint is made to the Clerk-Treasurer or the Clerk-Treasurer's designee that a public nuisance exists or has existed within the Town, the Clerk-Treasurer, Town Marshal, and President of the Board of Trustees, as inspection officers, shall promptly inspect or cause to be inspected the premises and shall make a written report of their findings to the Clerk-Treasurer or the Clerk-Treasurer's designee. Whenever practicable, the inspection officers shall cause photographs to be made of the premises and shall file the same in the office of the Town Clerk-Treasurer.
- (b) **Summary abatement.**
 - (1) **Notice to owner.** If the inspection officers shall determine that a public nuisance exists on private property and that there is a great and immediate danger to the public health, safety, peace, morals or decency, the Clerk-Treasurer shall direct the Town Marshal, or a Deputy Town Marshal, to serve a notice on the owner, or, if the owner cannot be found, on the occupant or person causing, permitting or maintaining such nuisance and to post a copy of the notice on the premises. If the inspection officers shall determine that a public nuisance exists on private property and that there is not a great and immediate danger to the public health, safety, peace, morals or decency, then such

notice may be served the owner or the occupant or person causing, permitting or maintaining such nuisance by certified mail, return receipt requested or by posting a copy of the notice on the premises. Such notice shall direct the owner, occupant or person causing, permitting or maintaining such nuisance to abate or remove such nuisance within 48 hours and shall state that unless such nuisance is so abated, the Town will cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, permitting or maintaining the same, as the case may be.


(2) *Abatement by Town.* If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the Clerk-Treasurer, Town Marshal, and President of the Board of Trustees shall have the authority to cause the abatement or removal of such public nuisance.

(c) *Abatement by court action.* If the inspecting officers shall determine that a public nuisance exists on private premises but that the nature of such nuisance is not such as to threaten great and immediate danger to the public health, safety, peace, morals or decency, they shall file a written report of their findings with the Clerk-Treasurer, who shall cause an action to abate such nuisance to be commenced in the name of the Town. The Town Attorney may initiate an action to abate or enjoin such nuisances.

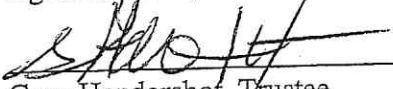
SECTION II. This Ordinance shall be in full force and effect from and after its passage and approval by the Board of Trustees of the Town of Geneva and due publication thereof.

Duly passed, adopted and resolved by the Board of Trustees of the Town of Geneva, State of Indiana, on May 11, 2021.


BOARD OF TRUSTEES OF THE TOWN OF GENEVA



Agnes Schoch, President



Gary Hendershot, Trustee



Arlen Mitchell, Trustee



Marvin Schwartz, Trustee



James Timmons, Trustee

ATTEST:



Jane Kaverman, Clerk-Treasurer

ORDINANCE NO. 2021-2
AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF GENEVA,
INDIANA ESTABLISHING THE AMERICAN RESCUE PLAN ACT FUND
FOR THE TOWN OF GENEVA

WHEREAS, the Town of Geneva has been or will be a recipient of distributions from the American Rescue Plan Act (ARP Act); and

WHEREAS, the qualified uses of said distributions include municipal investments in water, stormwater, and wastewater infrastructure projects; and

WHEREAS, the Board of Trustees of the Town of Geneva ("Board of Trustees"), now desires to establish an ARP Act Fund, with revenue and appropriation accounts therein, pursuant to the directives of the Indiana State Board of Accounts.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GENEVA, INDIANA, AS FOLLOWS:

That the ARP Act Fund (Fund #180), the ARP Act Infrastructure Water, Stormwater and Wastewater Revenue Account (Account #180990.00), and the ARP Act Infrastructure Water, Stormwater and Wastewater Appropriation Account (Account #180300000.000) for the Town of Geneva are hereby established, all in accordance with the directives of the Indiana State Board of Accounts; and

That any and all moneys that the Town receives as a distribution from the ARP Act shall be transferred into said separate ARP Act Fund; and

That thereafter, a claim shall be created against the ARP Act Fund for such amount or amounts approved by the Board of Trustees for various municipal investments in water, stormwater and wastewater infrastructure projects.

ORDINANCE NO. 2021-5

**AN ORDINANCE OF THE BOARD OF TRUSTEES
OF THE TOWN OF GENEVA, INDIANA
AMENDING ORDINANCES 2020-6 AND 2021-4**

WHEREAS, the Board of Trustees of the Town of Geneva has adopted Ordinance No. 2020-6 wherein the Board of Trustees fixed the salaries for the various employees and departments of the Town; and

WHEREAS, due to the illness of Town employee, Curt Chaffins, the Town's Part-Time employee, Shaun Fosnaugh, has performed additional unanticipated services for the Town which would have usually been performed by Curt Chaffins; and

WHEREAS, the Board of Trustees of the Town of Geneva has amended said Ordinance No. 2020-6 by Ordinance No. 2021-4 wherein the Board of Trustees amended the wage for Shaun Fosnaugh, as a part-time employee, for a period of time ending upon the return to full employment by Curt Chaffins; and

WHEREAS, Curt Chaffins has returned to full-time employment, but the Board of Trustees of the Town of Geneva believes that in order to continue to have the services of Shaun Fosnaugh as a part-time employee, that such wages should continue to be raised without the increase being terminated as of the return to full employment by Curt Chaffins.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GENEVA, INDIANA, AS FOLLOWS:

That Shaun Fosnaugh, who will continue to be considered as a part-time employee for so long as he has worked less than 1,500 hours during the calendar year of 2021, shall receive the wage of \$16.50 per hour (based on a full-time employee with greater than one (1) year experience), plus \$.45 per hour for a pesticide certification, for a total wage of \$16.95 per hour. Said wage shall be paid retroactively to July 7, 2021, and any hours worked including and since that date shall be at the rate of \$16.95 per hour. This wage will continue until Shaun Fosnaugh reaches 1,500 hours worked during the calendar year. Said wage shall be paid 100% from the MVH Fund.

All other sections and provisions of Ordinance No. 2020-6 are hereby re-ratified and shall remain in full force and effect.

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
Approved by the State Board of Accounts, 2015
Prescribed by the Department of Local Government Finance

Budget Form No. 4
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Ordinance / Resolution Number: 2021-6

Be it ordained/resolved by the **Town of Geneva** that for the expenses of **GENEVA CIVIL TOWN** for the year ending December 31, **2022** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **GENEVA CIVIL TOWN**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **Town of Geneva**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Town of Geneva	Town Council	10/12/2021

Funds

Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0005	CASINO/RIVERBOAT	\$35,000	\$0	0.0000
0061	RAINY DAY	\$0	\$0	0.0000
0101	GENERAL	\$659,938	\$460,892	1.1970
0254	LOCAL INCOME TAX	\$50,500	\$0	0.0000
0706	LOCAL ROAD & STREET	\$32,000	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$306,803	\$186,166	0.4835
1191	CUMULATIVE FIRE SPECIAL	\$0	\$15,084	0.0333
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$0	\$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$45,000	\$20,203	0.0446
2402	ECONOMIC DEVELOPMENT	\$132,000	\$0	0.0000
2411	ECONOMIC DEV INCOME TAX CREDIT	\$161,750	\$0	0.0000
		\$1,422,991	\$682,345	1.7584

Home-Ruled Funds (Not Reviewed by DLGF)

Fund Code	Fund Name	Adopted Budget
9500	LOCAL LAW	\$7,200
9501	Community Crossing Grant	\$229,760
9502	UNSAFE BUILDING FUND	\$15,000
9503	ARP AMERICAN RESCUE PLAN	\$306,824
		\$558,784

ORDINANCE NO. 2021-7
AN ORDINANCE FIXING SALARIES AND BENEFIT PROGRAMS FOR
2022 OF ALL ELECTED OFFICIALS OF THE TOWN OF GENEVA

BE IT ORDAINED by the Board of Trustees of the Town of Geneva, Indiana that the following elected officials of the Town of Geneva shall receive the following salaries and benefits for year 2022:

SECTION I. BASE SALARIES

That from and after January 1, 2022, the salaries of the Clerk-Treasurer and each member of the Board of Trustees, payable from the General Fund, Water Fund and Sewage Fund and of said Town shall be in the following amounts:

<u>Clerk-Treasurer (with High School Education):</u>		\$40,200.00
<u>Clerk-Treasurer (with 4 year Bachelor's Degree in Business/Accounting):</u>		\$43,000.00
<u>Clerk-Treasurer (with MBA or CPA License):</u>		\$47,000.00
<u>Members of Board of Trustees (each)</u>		
Board President	General Fund	\$3,370.00
Board Member	General Fund	\$3,059.00

SECTION II - HEALTH CARE BENEFIT

The Town of Geneva shall pay 100% of the medical insurance premium and/or Medicare Part B, Medicare Supplement and Prescription Drug Plan, with the insurance carrier approved by the Town for the Clerk-Treasurer, less \$1.00 per year to be paid by the Clerk-Treasurer. The Clerk-Treasurer shall pay for any additional family coverage.

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

ORDINANCE NO. 2021-8
AN ORDINANCE 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

BE IT ORDAINED by the Board of Trustees 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 January 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 2022, 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.

STREET DEPARTMENT

Street Department Personnel:

Greater than Seven (7) Years Experience	21.00 - \$23.00 Per Hour
Greater than Six (6) Years Experience	\$20.25 Per Hour
Greater than Five (5) Years Experience	\$19.75 Per Hour
Greater than Four (4) Years Experience	\$19.25 Per Hour
Greater than Three (3) Years Experience	\$18.75 Per Hour

Greater than Two (2) Years Experience	\$18.25 Per Hour
Greater than One (1) Year Experience	\$17.75 Per Hour
Entry Level	\$17.00 Per Hour

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): \$50,060.00 to 53,703.00

Chief Deputy Marshal (Based on Experience): \$46,100 to 50,271.00

Deputy Marshal:

Greater than Seven (7) Years Experience	\$47,430.00
Greater than Six (6) Years Experience	\$46,688.00
Greater than Five (5) Years Experience	\$45,938.00
Greater than Four (4) Years Experience	\$45,188.00
Greater than Three (3) Years Experience	\$44,430.00
Greater than Two (2) Years Experience	\$43,718.00
Greater than One (1) Year Experience	\$42,718.00
Entry Level with ILEA	\$41,483.00
Entry Level without ILEA	\$40,248.00
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 two (2) mile radius of the Town.

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

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	\$12.00 Per Hour
Second Year	\$13.00 Per Hour
Third Year	\$14.00 Per Hour
Fourth Year (or more)	\$15.00 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	\$16.75 Per Hour
	Greater than Six (6) Years Experience	\$16.50 Per Hour
	Greater than Five (5) Years Experience	\$16.25 Per Hour
	Greater than Four (4) Years Experience	\$16.00 Per Hour
	Greater than Three (3) Years Experience	\$15.75 Per Hour
	Greater than Two (2) Years Experience	\$15.50 Per Hour

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 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

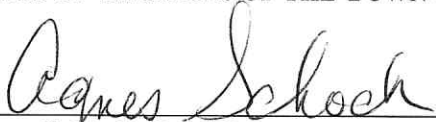
Eligible full-time employees who work in covered positions with the Town will be covered by the Indiana Public Retirement System (INPRS). The benefits, costs, and administration are determined by current INPRS directives.

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 Board of Trustees of the Town of Geneva, State of Indiana, on December 14, 2021.

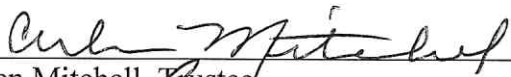
BOARD OF TRUSTEES OF THE TOWN OF GENEVA



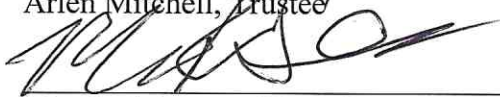
Agnes Schoch, President



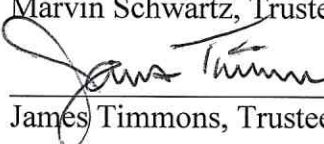
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