

SOUTH WHITLEY REGULAR COUNCIL MEETING MINUTES

TOWN HALL 118 E FRONT ST, SOUTH WHITLEY IN 46787

FEBRUARY 9TH 2016

6:30 PM

The Town Council met in regular session on Tuesday, February 9th 2016 present were Council members Bill Boggs, Les Hoffman and Randy Cokl. Town Attorney Gregory Hockemeyer, Waste Water Operator Kent Slater, Town Marshal Mikel VanDevender and Clerk-Treasurer Janet Howard.

The meeting was called to order by President Bill Boggs at 6:30 PM.

The Pledge of Allegiance was conducted.

The minutes from the January 25th 2016 Public Hearing were approved with motion made by Council member Cokl and seconded by Council member Hoffman with vote passed 3-0.

The minutes from the January 26th 2016 Special Meeting were approved with motion by Council member Cokl and seconded by Council member Hoffman with vote passed 3-0.

The minutes from the January 26th Regular Council Meeting were approved with motion made by Council member Cokl and seconded by Council member Hoffman with vote passed 3-0.

The Accounts Payable Vouchers totaling \$140,413.00 were presented and motion to approve was made by Council member Cokl and seconded by Council member Hoffman with voted passed 3-0.

OLD BUSINESS – Jay with DLZ reported on the ADA ramp projects (West and East). December 1st held field check meeting with IDOT, Utilities and LPA (of town of South Whitley) and DLZ to talk about any impacts with Utility and are not aware of any. PFC meeting was held for both projects. East side was discuss with railroad coordinator. IDOT will be sending town a PO that will need to be paid, 20% down for a fee to coordinate with the railroad by an hourly rate and IDOT will look at and approve those invoices and if any money is left over they will reimburse town for 20% match. Stage 3 – submit of the plans and should be a complete set of documents moving forward.

DLZ with the right away study found three intersections have problem with right away, Line and Wayne street, Line and Mulberry street and Line and Buffalo street. They estimate it would take 5 parcels or 5 property owners to acquire existing right away. This would take title search done, right away document prepared, appraisal analyst, an assessment by IDOT that will determine type of appraisal that needs done. Preparation of the appraisal document and then IDOT certified buyer goes to landowner to offer buying, then securing the deed and etc. The estimate to buy each parcel is 10,000.00 which would be 50,000.00. The project budget did not factor in anything for right away. Kent and Jay met with IDOT to discuss things last Thursday to rectify this situation and there are three different options. 1st is to complete 3 quadrants of these intersections at later date- maybe 5yrs 2^{ns} is to have town fund 100% of right away up to 50,000.00 for parcels but construction cost stay at 80% -20 % and 3rd is combine the 2 projects together as one contract and you could be a savings on this option. IDOT says you take portion

of funds and reallocate it to the right away portion up to 50,000.00 would be 80-20, problem is when you get to the construction portion you would be short that amount of funds of SRF loan. Two things would occur-IDOT said they could award money up to that amount to cover or option 2 is town would be responsible for that portion. You have so much in Federal funds in 3 phases which you basically take from one phase to do another phase so you would have to pay that phase back and also not sure if IDOT will give you the federal funds to do that. Jay feels the best option is the third option- which is to delay project, that there may be a chance to have the money to make up the difference for the right away problem, also with this option you would just have one construction project with only one season of construction. Also with the bridge project this year the roads will be rerouted and they may charge more for hauling because roads will not be coming directly into town, we do not need decision tonight we have time to table and think about this until next meeting, Jay will draft a letter with all the matrix to have and also access so numbers which will be an estimate of construction cost for bids for each option. Jay stated the ramps are mandated from the federal, the town is trying to get as many ramps up to code with ADA.

An invoice has been submitted for work done west of SR 5 this was approved already it will be billed just for the remainder which is about 40% of ADA Voucher, Kent will need to sign voucher as ERC and then a check will be sent to DLZ and once check clears, clerk will need to send Invoice, Claim voucher and copy of check to be reimbursed for 80% back from IDOT, this is a reimbursement not a grant.

NEW BUSINESS – Beth Sickafoose with the South Whitley Community Gardeners stated the last three years the town has provided them with funds to make the town more beautiful with hanging plants and flower pots on the sidewalks and is asking to consider appropriating \$700.00 for 2016. Ryan Baker from Countryview has met with Beth and Lori Starkey to discuss what to use in the pots and baskets. Flyers with pictures to look at were provided. Beth stated they learned a lot last year and know better what to use with the heat and watering of plants. Beth thanked the town for providing a town employee to water the flowers and for Kent and Ron's help with the storage and hauling the pots. Motion was made by Councilman Hoffman to approve \$700.00 for the South Whitley Community Gardeners and seconded by Councilman Cokl and passed with 3-0 vote. Kent will deliver pots to Countryview around 1st of March.

Councilman Boggs stated he noticed American Water in the crowd and asked if they were here to say something. Mike said not really just wanted to see how things were progressing. Bill asked if American Water sent our letter to people in community and wondered if they knew anything about this letter, asked if it is a partner company. Mike asked Bill if it was a service protection letter and they said its not really us but we are associated with them and its service line protection. Chris Harrison said it's a regulated side of the business that if an individual wants to take this policy they can. Bill asked if it is a sister company to American Water and Mike said not a sister company the just utilize our name. Bill asked if they would get a kickback on this and they said no. Chris stated it's like Nipsco and other companies they offer this and is up to property owner if they want it or not. Bill advised the public that not knowing anything about this company would not recommend doing anything with them unless they checked them out with Better Business Bureau. Bill stated that we're in a 30 quiet period right now and Chris Harrison said we are just here listening. Town Attorney mentioned the 30 day quiet period actually doesn't start until next regular meeting and can't take any action now.

PARK BOARD – Nothing tonight

DEPARTMENT HEADS –

Waste Water Operator-Kent Slater - Kent has quote from American Legal for Ordinance Book and gave them a sample book to look at from another community along with the quote for \$7250.00. This would take 6 to 7 months to prepare and then review and about 90 more days to finish and this would also be on the website for the public to see easier. Need to find out if there is an annual maintenance fee for updates and going to get with American Legal about the 2 or 3 year payment option and interest rate. Motion was made by Councilman Boggs to approve the quote for Ordinance Book and seconded by Councilman Cokl and passed with 3-0 vote. Donohue-pretreatment done because of Fox Products, Donohue talked IDEM out of it because of low amount of metal found this could have cost around 9,000 dollars for metal study, there is invoice for extra fees associated with that and invoice for replacing pipe under waste water plant that wasn't installed right first time and set it right for the flow with right calculations done. Gregg stated that Tony Starkey mentioned he would pay for half the cost of the pretreatment which had attorney fees, Tony stated that he would pay for all the cost but another council member said that didn't make sense because if any other industry moved in the town would have to put that in anyway. But I think there was a 50/50 reimbursement agreed. Kent said we have that in an ordinance that we can pass the cost along to the industry and we need to look into that so we can invoice Fox for reimbursement. Kent also talked with IDOT about the bridge construction and will start May 16th and ending October 12th.

Town Marshal-Mikel VanDevender- Mikel stated the SRO Officer will be Matt Gilbert and will be introduced at the February 23rd meeting. Mikel suggested the pay for the SRO officer start at 16.90 and after he graduates from the academy take pay up to 17.90 and then after year probation time take him to regular pay for officer at 18.90 an hour. The board agreed this would be ok. Motion made by Council member Hoffman to this agreement and seconded by Council member Cokl and passed with 3-0 vote. Mikel also asked if the SRO Officers car could go home with him because he lives 3-5 miles from Larwill school only while school is in session and then the car would go back in the police rotation. The board was in agreement with that and to just make it clear that it not to be used for any personal use. Mikel asked Gregg that Matt has agreed to sign a 5 year contract instead of the normal 3 year and that Pierceton has agreed to pay for his schooling and his hotel stay for schooling but want it in the contract that if he leaves before his 5 years is up they be reimbursed for that money. Gregg will look into and draft it up. Training is \$500.00 and there will be 5-6 day stay in hotel. Gregg stated 3 year verses 5 year contract they sign and that they would reimburse for any training expenses if they leave before will probably avoid someone getting their training and then getting a better offer somewhere else and leaving. Mikel said the cost of fully equipping an officer is probably around \$1,000 but on the high side would be \$1300.00 and they have built in a 650.00 clothing expense per year for upgrading needed. Mikel said he talked with the auditor in Columbia City and there is \$5100.00 a month local option income tax for community and is for public safety and would like that earmarked for the SRO program in case we would lose the grant for this program we would have this to make sure we can make sure the SRO Officer will stay. Matt will start March 1st 2016. Mikel asked with the board approval he would like to pay Scott Geist on his two days off from Whitley County Sherriff's Department to introduce Matt into the schools and show him the daily routine with part time pay. Council member Cokl asked if he was looking to keep Scott on as part time and Mikel would like to keep him on in case we would need him to cover vacations and this would be cheaper than hiring another officer since we are down one and not

looking to hire full time position. Mikel said the Dodge charger needs a new seat and has found one for around 125 dollars and if try to repair would cost around 200 to 300 hundred dollars and if board approves he will need a check to pay for it when picked up. Motion was made by Council member Boggs and seconded by Council member Hoffman and passed with a 3-0 vote. Approval for amending salary ordinance, Mikel for Town Marshal is raised \$2.05 to Town Marshal Position and Chuck LeWallen raised \$1.00 for the Sgt position. Motion made by Council member Hoffman and seconded by Council member Cokl and passed with 3-0 vote. Mikel wanted to verify putting minutes on website was ok with the board and it was.

Town Attorney-Gregg Hockemeyer – Gregg needed to talked with IRS and needs to get Power of Attorney to do so for some tax issues from previous years so asking council to consider executing resolution to authorize the Clerk-Treasurer and himself to be able to speak with Department of Revenue of matters regarding the Utility Department. Motion by Councilman Boggs to pass Resolution #02-09-2016-01 and seconded by Councilman Cokl and passed with 3-0 vote.

Clerk-Treasurer-Janet Howard – Janet asked the council to consider making changes to the Holiday schedule for full time employees. Handed out the town's current holiday schedule and schedules of three other surrounding town schedules to compare with. There are several holidays that we currently do not have and ask to consider revising schedules of holidays. The board tabled until next meeting to look over.

PUBLIC INPUT- Martha Trier wanted to thank everyone for stepping up to the plate and being on the board, also wanted to commend the board for letting the SRO officer to take car home because of certain situations in the morning we have had the need.

Lou with Triad was getting ready to leave and Councilman Boggs made a motion to have Lou go forward to investigate the options of purchasing the water filtration equipment and doing ourselves and motion was seconded by Councilman Cokl with a passed vote of 3-0.

John Hoffer asked with the bridge construction this summer would the council consider picking up the grass clippings because it would be hard for residents to do with bridge closing and getting to Hagen park. Councilman said thanks for bringing this up and will be something to think about and discuss.

Tom Crowder stated in preparation of bridge closing has there been any thought from town or county to somehow make gravel road from Polk Rd to 14 more travelable. Bill said that is basically up to the county.

Motion to adjourn made by Councilman Hoffman and seconded by Councilman Cokl and passed with 3-0 vote. Adjourned at 7:40 PM