

SOUTH WHITLEY TOWN COUNCIL REGULAR SESSION MEETING MINUTES  
TOWN HALL BOARD ROOM  
118 E FRONT ST  
SOUTH WHITLEY, IN 46787  
OCTOBER 17<sup>TH</sup> 2017 6:30 P.M.

The South Whitley Town Council met in regular session on Tuesday, October 17<sup>th</sup> 2017 in the Town Hall Board Room. Those present were Council President Randy Cokl, Councilman Bill Boggs, Town Marshal Mikel Van Devender, Water Operator Ron Anderson, Town Attorney Gregg Hockemeyer and Clerk-Treasurer Janet Howard. Absent from meeting was Councilman Les Hoffman and Waste Water Operator/Utility Supervisor Kent Slater.

Call to order was at 6:36 P.M.

New Business-Janet Arnold was present at the meeting for the purpose of stopping rumors going around town about the closing of Arnold Brother's. Mrs. Arnold stated that since June of 2017 when Justin the lead tech without notice decided to up and leave town that there has been rumors about the status of Arnold Brother's and she thought by coming to a public meeting and being in the paper that this would be the best result for stopping the rumors. She stated that they are open for business and not closing and that there will be an ad in this week's newspaper with a coupon to let everyone know that they are open. She has two tech's working for her and very pleased to have them. She also stated that February 1<sup>st</sup> 2017 was their 90<sup>th</sup> year and will continue to operate in this community. Council thank her for coming and also for her business in this community. Jorell Tucker was present to show the Council water samples from his house on the north side of town and had samples from Scott Peter's house on the south side. He stated he had been in contact with Ron and Kent and after not really getting any corrections he decided to come to the Council. He stated you're the ones in charge and he had dates and times on the sample bottles, he said the samples are after it has been thru the water softener. He mentioned that he has been told there is an iron filtration plant in the works and that he has done some research and all that has been done is filing for a permit. He is here tonight looking for some answers. President Cokl stated that the town started back in June with Triad, papers were just signed yesterday for the water filtration plant and that the town this summer was awarded a 550,000.00 grant to help offset the cost. Ron Anderson, the Water Operator stated it will go out for bid tomorrow. Mr. Tucker said his next comment was if you are not going to do anything then maybe you should re look at selling the water utility. Council explained we are moving forward and will continue to flush hydrants to help until the filtration plant is done. Mr. Tucker mentioned that he is concerned with the coagulant that is put in the water. Mr. Anderson said that phosphate is added and that the engineers say we will not have to do this after the plant is done. Joe Simpson who resides at 705 Hillcrest asked the Council to consider moving the children playing sign from the telephone pole in front of his house to down near SR 205 to try and slow vehicles down coming up the street. He also asked them to consider lowering the speed limit to 20 instead of 30. It was stated that we can lower speed to 25 pretty easy but to lower speed limit to 20 would take a state survey which is pretty costly. Council agreed to move the children playing sign closer to SR 205 and will have to look into the lowering of the speed limit.

Old Business-The Whispering Hills signage was brought up and Marshal Van Devender's recommendation after research is to install a no outlet sign at the entrance of the sub division. It was recommended that he talk with the Home Owner's Association about the barricade. Motion to install No Outlet sign at entrance of Whispering Hills Sub Division was made by President Cokl, seconded by Councilman Boggs with a 2-0 vote. Leann Cicero was present to give her opinion about the consideration

of name change for Hagan Park. She read some history of Gale Hagan and a scripture from Ezekiel 18:20, then stated that she was not in favor for the name change. President of the Council Randy Cokl stated that he has met with the Whitley County Commissioners twelve times over the past year regarding the matter of dispatching and services for Lutheran Whitley EMS for the Town of South Whitley and has gotten nowhere, so he made a motion that the South Whitley Town Council hire the Law Firm, Rockhill Pinnick from Warsaw, Indiana for the purpose of litigation against the Whitley County Commissioners in the matter of dispatching and services for Lutheran Whitley EMS, seconded by Councilman Boggs with a 2-0 vote.

Park Board-Jeff Beer was not present

Department Heads:

Town Marshal Mikel VanDevender-Marshal Van Devender presented SRO Officer Matt Gilbert with a Medal of Valor Plaque. On March 12<sup>th</sup> 2017 Officer Gilbert attempted to make a traffic stop and the person did not cooperate, after all options were used Officer Gilbert held the situation until other officers could get there. Marshal VanDevender stated this could have turned into a lethal force situation but Officer Gilbert prevented that.. Due to his professionalism and bravery Marshal VanDevender congratulated Officer Gilbert and presented him with the plaque.

Waste Water Operator/Utility Supervisor Kent Slater-Absent

Town Attorney Gregg Hockemeyer-Attorney Hockemeyer mentioned that he has been playing phone tag with Indiana Land Marks but would like to have representation from them at a Council meeting to discuss the Historical District for the Town of South Whitley.

Clerk-Treasurer Janet Howard- Clerk Howard reminded the Council that at the next Council meeting they would need to vote on the 2018 Salary Ordinance and the Town Employee Manual.

Water Operator-Ron Anderson mentioned to the Council that he had a contract from Plant Growth Management for Electric Distribution Vegetation Survey not to exceed \$1008.00. He stated the Town is on a 3 year cycle and in the second cycle between 35% and 55% removal rate of trees, and with ongoing maintenance that this is very helpful with power outages. Motion was made by Councilman Boggs to signed survey contract, seconded by President Cokl with a 2-0 vote.

Meter Deposit Refunds totaling \$2,005.00 were presented, approved and signed. Motion to approve was made by Councilman Boggs, seconded by President Cokl with a 2-0 vote.

September 2017 Depository Statement and Cash Reconciliation was presented, approved and signed. Motion to approve was made by Councilman Boggs, seconded by President Cokl with a 2-0 vote.

September 26<sup>th</sup> 2017 Public Hearing Minutes for 2018 Budget were presented, approved and signed. Motion to approve was made by President Cokl, seconded by Councilman Boggs with a 2-0 vote.

September 26<sup>h</sup> 2017 Regular Session Minutes were presented, approved and signed. Motion to approve was made by Councilman Boggs, seconded by President Cokl with a 2-0 vote.

Prepaid APV'S totaling \$ 10,382.27 were presented, approved and signed. Motion to approve was made by Councilman Boggs, seconded by President Cokl with a 2-0 vote.

APV'S totaling \$ 174,650.51 were presented, approved and signed. Motion to approve was made by Councilman Boggs, seconded by President Cokl with a 2-0 vote..


Payroll for Week ending October 2<sup>nd</sup> 2017 totaling \$ 7,166.51 were presented, approved and signed. Motion to approve was made by Councilman Boggs, seconded by President Cokl with a 2-0 vote.

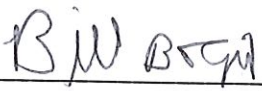
Payroll for Week ending October 9<sup>th</sup> 2017 totaling \$ 7,701.86 were presented, approved and signed. Motion to approve was made by Councilman Boggs, seconded by President Cokl with a 2-0 vote.


Payroll for Week ending October 16<sup>th</sup> 2017 totaling \$ 8,980.91 were presented, approved and signed. Motion to approve was made by Councilman Boggs, seconded by President Cokl with a 2-0 vote.

Public Input – Jorell Tucker asked the Council for the attorney hired to start the litigation against the Whitley County Commissioners is there a budget amount not to exceed since we already have an attorney on the town dime now. Council President said they would not say in a public meeting the details of the litigation. Janet Arnold question if the sidewalk project construction company would take care of the property being torn up or who is responsible for this. Water Operator, Ron Anderson stated that the company doing the project will come back and take care of. President Cokl stated they are looking into a 50/50 project for next year to help with the sidewalks between the new curbs to make it look nicer. Tom Crowder asked if the town would match to take down trees that are between the street and the sidewalks and council said they would have to look into that. Scott Peters asked about sidewalks south of the State Street Bridge and President Cokl said they started talking about that this summer with DLZ and DLZ came to South Whitley to look over. Mr. Peters also stated that he was not in favor of the name change for Hagan Park for the reason that it was given to the town as a gift as that should be respected. Janet Arnold mentioned she heard we would be liable for things if we broke the contract with Parkview. President Cokl stated that the Sheriff of Whitley County was told that if they dispatched for Lutheran that the employees with Whitley County Dispatch would personally be held responsible and the Sheriff did not want to put them in that position so this is why the Town Council has decided to move forward with litigation against the Commissioners

Motion to adjourn at 7:20 P.M. was made by President Cokl, seconded by Councilman Boggs with a 2-0 vote.

  
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President Randy Cokl

  
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Councilman, Bill Boggs

ATTEST:   
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Clerk-Treasurer, Janet Howard