

SOUTH WHITLEY TOWN COUNCIL REGULAR SESSION MEETING MINUTES
TOWN HALL BOARD ROOM
118 E FRONT STREET
SOUTH WHITLEY, IN 46787

AUGUST 10, 2021
6:30 PM

The South Whitley Town Council met in regular session on Tuesday, August 10th, 2021 in the Town Hall Board Room at 6:30 p.m. Those present were President Les Hoffman, Vice President Randy Cokl, Councilman Brock Waterson, Attorney Gregg Hockemeyer, Town Marshal Mikel Vandevender and Clerk-Treasurer Pamela Hoffman.

The meeting was called to order at 6:30 p.m., followed by the Pledge of Allegiance.

NEW BUSINESS - DONOHUE – PROJ #13218 – INV#43 COMPL PLAN PHASE A \$1,487.50. Motion made to approve by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.
PROJ NO #13868 – INV#6 ADDT'L TASKS PLAN A \$945.00. Motion made to approve by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

DLZ – PAY REQ#2 CCMG 2021 PROF SVC THRU 7/16/2021 \$22,950.00. Motion made to approve by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

DLZ – BIDS FOR 2021 CCMG STREET IMPROVEMENT PROJECT – 2 Bids were submitted on August 6, 2021 at 10:00 a.m. at Town Hall. E & B Paving and Phend & Brown submitted bids. Both companies bids were approximately \$100,000.00 hire than project's engineered figures and INDOT's CCMG grant. There are 3 options to consider going forward on the project. 1) Drop one of the projects. 2) DLZ revisit plans and modify, ask INDOT for extension 3) Reject bids, notify INDOT that we are refusing the money. Phil Labrash suggested asking Donya LaRue for an extension until 9-17-2021, she may take a couple of days to accept or reject extension request. A motion was made by Councilman Hoffman to accept second option to modify plans and ask for extension, seconded by Councilman Waterson, carried by vote of 3-0. Next Council meeting consider documents, if INDOT rejects per Phil Labrash, we still have time, could reduce costs of 4 parts, selection with summation of the four parts. Attorney Hockemeyer will look over the bids to see if the Town has legal ability to award the project based upon only some of the work, rather than all four components described in the specifications.

OLD BUSINESS - TRINA FETCHIK – POWER LINE at 303 S LINE STREET – Trina asked Council what they were doing with her power line and Council President Cokl replied nothing. Council was told that the line was capped by the Utility Department and the tree was not a hazard. It would be costly to move the pole from her yard, plus would have to go in another resident's yard. She stated that her tree was dying. Suggestion by Council and Attorney Hockemeyer to contact the County Extension Agent to come out and analyze the tree's status for free. Ms. Fetchik was not happy with the Council's response and walked out stating the Council never helps the residents.

RESIDENTS PETITION for ONE WAY STREET on WATER STREET – Eleven residents signed a petition stating they were in favor of Water Street becoming a one way street running from North Water to South Water Street, ending at Main Street. Parking on the street was then discussed for residents that lived on the street, parking either on east or west side, plus garbage pick up. Council

will table until August 24th Council Meeting. Chris Jordan said he would follow up with the residents on the petition to see how they felt about the parking.

PUBLIC INPUT – Karen Jordan asked about the south of town Property for Development. Attorney Hockemeyer stated he sent a letter to attorney of property owner and they are still interested in talking about obtaining the property, but not until the first of the year. She also wanted to know what the status of the State Street buildings and Attorney Hockemeyer stated that Dale Buuck, EDC, said nothing has changed with any new prospective buyers.

Tanner Moyer asked Council for an extension for his remodeling on 204 S State Street, due to COVID. He has secured a bank loan and Frantz Construction to start the remodeling in September. Councilman Waterson made a motion to extend the remodeling to April 1st, 2022, seconded by Councilman Hoffman, carried by vote of 3-0.

PARK BOARD – not attend
DEPARTMENT HEADS:

TOWN MARSHAL – MIKEL VANDEVENDER – nothing to add.

UTILITIES SUPERVISOR – KENT SLATER – Absent

TOWN ATTORNEY – GREGG HOCKEMEYER – nothing to add from Public Input.

CLERK TREASURER – PAMELA HOFFMAN – nothing to add

APPROVAL FOR JULY 2021 CASH RECONCILEMENT were presented to council, approved and signed. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

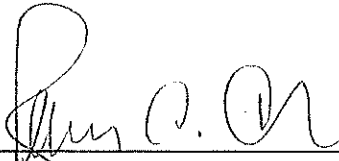
APPROVAL FOR JULY 27th, 2021 REGULAR SESSION MEETING MINUTES were presented to council, approved and signed. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote 3-0.

APPROVAL for APV'S TOTALING \$ 120,895.94 were presented to council, approved and signed. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

APPROVAL for PAYROLL WEEK ENDING AUGUST 2nd, 2021, TOTALING \$ 7,978.76 were presented to council, approved and signed. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

APPROVAL for PAYROLL WEEK ENDING AUGUST 9th, 2021, TOTALING \$8,201.72 were presented to council, approved and signed. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

MOTION TO ADJOURN MEETING at 7:35 p.m., motion to adjourn made by Councilman Waterson, seconded by Councilman Hoffman, carried by a vote of 3-0.



PRESIDENT, RANDY COKL



VICE PRESIDENT, LES HOFFMAN



COUNCILMAN, BROCK WATERSON

ATTEST:



CLERK TREASURER PAMELA HOFFMAN

SOUTH WHITLEY TOWN COUNCIL REGULAR SESSION MEETING MINUTES
TOWN HALL BOARD ROOM
118 E FRONT STREET
SOUTH WHITLEY, IN 46787

AUGUST 24, 2021
6:30 PM

The South Whitley Town Council met in regular session on Tuesday, August 10th, 2021 in the Town Hall Board Room at 6:30 p.m. Those present were President Les Hoffman, Vice President Randy Cokl, Councilman Brock Waterson, Attorney Gregg Hockemeyer, Town Marshal Mikel Vandevender, Utilities Supervisor Kent Slater and Clerk-Treasurer Pamela Hoffman.

The meeting was called to order at 6:30 p.m., followed by the Pledge of Allegiance.

NEW BUSINESS AMY BIGGS – WHITLEY CO MULTI HAZARD MITIGATION PLAN APPROVAL/ADOPTION RESOLUTION NUMBER 2021-0824. Amy presented information from 58 page document created to offer resources county has to mitigate and the greatest hazards rated,. The resolution is to adopt this hazard plan for Town to seek reimbursement funds if every needed, under FEMA act for disasters. Motion made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

JANICE PERRY – CONCERNS OF TRASH VIOLATIONS – She expressed concern at some residents that have trash setting out or cars not running and nothing seems to be done. Marshal Vandevender responded that ordinance violations are sent out and if not corrected, fined \$100.00. She also stated that she would be happy to offer her garage as a central clearing house for stray animals and volunteer her time in doing so. Marshal Vandevender stated that if the police are dispatched for an animal they have to take them to the Humane Shelter. Janice just expressed a general interest in volunteering for the needs of the community. Attorney Hockemeyer stated that if she were offering her garage as a temporary housing for strays, that would be okay.

CONNIE and JAMES SIMS – CLOSING OF AN ALLEY – They were asking that the alley off Jackson Street, along their property, be closed. Utility Supervisor and Attorney Hockemeyer stated that the alley is a utility easement and cannot be closed, unless they hire an attorney to petition property owners to vacate the unimproved right of way and then hold a public hearing. The utility easement would still be needed for the Utility Department. Advised to also check with the Planning Commission.

PLANNING COMMISSION 2021 SVC INV \$6,000.00. Motion to approve paying invoice by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

STRAND ASSOC – INV #174438 PROF SVC THRU 7-31-21, \$5,050.00 Motion made to approve by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

OTTENWELLER CHANGE ORDER #5 – North part of town rain gauge reduction of \$50,000.00, for a balance of \$198,679.43. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

DONOHUE – PROJ #13868, INV #7, PHASE A ADDT'L TASKS \$217.50. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

OLD BUSINESS - ONE WAY STREET – S WATER STREET, North to South – No residents attended to discuss.

DLZ/INDOT – NOTICE of AWARD LETTER to INDOT – Motion made to award to E & B Paving by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

AGREEMENT FORM – E & B PAVING - \$408,000.00 Motion made to approve agreement made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

PUBLIC INPUT TONY STARKEY is planning on obtaining a demolition permit to tear down the Green Parrot and would like a Hold Harmless Agreement with the Town. He doesn't want responsibility of the integrity of our adjacent town building when tearing his down. Attorney Hockemeyer stated he would look over the proposed Hold Harmless agreement if presented.

BRANDON MONTIQUE attended with concerns of trees near utility lines and sidewalks, who's responsibility, resident or town. He had a tree come down during the recent storm causing much damage at corner of Columbia and Line Streets. The town is only responsible for trees with power lines that pose a danger. Any trees located in the tree lawn area of the between sidewalk and street, are the resident's responsibility. In cities where they have a tree board, the town would be responsible for making sure trees were kept up. He appreciated the Utility Departments communication during the storm and restoring power in a timely manner so that full freezers were not ruined.

JUDY EARNHART attended asking about the status of the potential buyer of the uptown buildings. Attorney Hockemeyer said he thought Dale Buuck from EDC was going to attend the meeting to update the Council, as the the EDC is looking for potential buyers for the buildings.

A resident asked about the Town of South Whitley implementing a once a month Friday type of event on one of the main streets, similar to Columbia City's First Fridays. They advised her to volunteer to get involved with the Main Street Committee and see if something could be started. Also invited her to attend the Fall Festival Committee meeting on Sunday evening at 6:30 p.m.

JOSH TINCHER a renter of the apartment and building space at 503 E Broad Street owned by Joe Calhoun attended, asking about the potential of utilities being shut off at this site. Attorney Hockemeyer then explained to the Town Board that Scott Huntley or Arbortech, LLC who has held the utilities at 503 Broad Street in his company name, had asked the Clerk-Treasurer on Monday to disconnect utilities from his name by the end of the day. The Clerk-Treasurer then contacted Attorney Hockemeyer to see how to proceed with Joe Calhoun since he owed back utilities to the town of \$23,564.13. The Clerk sent a letter to Joe Calhoun on Monday, August 23, 2021, delivered by the police department, stating that he had until 7:30 a.m. Wednesday, August 25, 2021 to pay the amount owed in order to get the utilities in his name for his business and apartments on 503 E Broad St. Joe Calhoun's attorney Mr. Shipman, contacted Mr Hockemeyer with Joe's offer to pay off past debt to the Town, a check of \$5,000.00. Attorney Hockemeyer said he advised the council to take this deal to move forward as this has been ongoing for years. He advised to make sure on the utility form he completes, that he signs the personal guarantee. A motion was made by Councilman Waterson to accept the deal by Joe Calhoun of \$5,000.00 and seconded by Council President Cokl. Councilman Hoffman voiced his opposition, stating the Town has lost a big share of what was owed them and feels this is just a band-aid to a reoccurring problem in the future. A vote was taken and carried by a vote of 2 in favor, 1 opposed.

PARK BOARD – DAVE WARNER – not attend
DEPARTMENT HEADS:

TOWN MARSHAL – MIKEL VANDEVENDER – Marshal Vandevender informed Board that Deputy Robert Lysaght pass his physical exam on 8/23/21 and starts the Academy on Monday, August 30, 2021.

UTILITIES SUPERVISOR – KENT SLATER – Kent stated the signs for trash and restroom location where put up in the park behind the Clerk’s office. He also had an agreement for the Waterm Main Relocation Extraordinary Cost Agreement for the State Rd 14 Project that needed signed by Council President Cokl, stating the town would be responsible for \$54,222.55, based on their 2020 budget.

TOWN ATTORNEY – GREGG HOCKEMEYER – nothing to add from Public Input, regarding Joe Calhoun.

CLERK TREASURER – PAMELA HOFFMAN – Pam asked the Board for permission to hire a full-time Deputy Clerk Assistant to begin learning the Deputy Clerk position and some of the Clerk’s duties. Motion was made to approve by Councilman Waterson, seconded by Councilman Hoffman, carried by vote of 3-0.

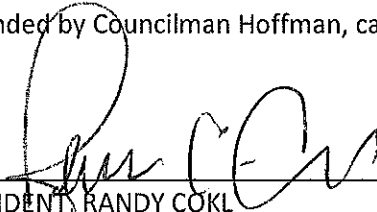
APPROVAL FOR AUGUST 10th, 2021 REGULAR SESSION MEETING MINUTES were presented to council, approved and signed. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote 3-0.

APPROVAL for APV’S TOTALING \$ 277,198.86 were presented to council, approved and signed. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

APPROVAL for PAYROLL WEEK ENDING AUGUST 16th, 2021, TOTALING \$9,841.44 were presented to council, approved and signed. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

APPROVAL for PAYROLL WEEK ENDING AUGUST 23rd, 2021, TOTALING \$8,502.88 were presented to council, approved and signed. Motion to approve made by Councilman Hoffman, seconded by Councilman Waterson, carried by vote of 3-0.

MOTION TO ADJOURN MEETING at 8:01 p.m., motion to adjourn made by Councilman Waterson, seconded by Councilman Hoffman, carried by a vote of 3-0.



PRESIDENT, RANDY COKL

ATTEST:



VICE PRESIDENT, LES HOFFMAN


COUNCILMAN, BROCK WATERSON


CLERK TREASURER PAMELA HOFFMAN