

## MONTHLY MEETING February 14, 2017

The Town of Medaryville met in regular session on February 14, 2017 at 6:30 pm with the following members present:

Robert Schultz	Council President
Raymond Saltsman Sr.	Council Member
Judy Harwood	Clerk Treasurer
Jackie Hines	Deputy Clerk
Keith Hauptli	Maintenance Supervisor
Amber Lapaich	Town Attorney

Absent: Jeff Heims, Chief Town Marshal  
Suzanna Wilcoxon, Council Vice President

### **Additional Appropriation Hearing:**

Notice was given to the taxpayers of the Town of Medaryville, that the Town Council will consider an additional appropriation of \$65,768.84 within the budget for the current year.

The Public Hearing was open for the additional appropriation in the LOIT Special Distribution Fund as Required under Senate Enrolled Act 67 all Taxpayers were given the opportunity to be heard, no comments were made from the public.

### Suspension of Robert Rules of Order

Council Member Saltsman Sr. made the motion to suspend Roberts Rules of Order and read Ordinance 2017-02-01 by title only for the second and third readings, second by Council Member Schultz.

**Motion was carried with a vote of 2 yes 0 no.**

### Second reading

Council Member Saltsman Sr. gave the second reading of **Ordinance 2017-02-01** by title only **Approving Additional Appropriation in the LOIT Special Distribution Fund as Required Under Senate Enrolled Act 67.**

Council Member Saltsman Sr. made the motion to accept the second reading of **Ordinance 2017-02-01 Approving Additional Appropriation in the LOIT Special Distribution Fund as Required Under Senate Enrolled Act 67**, second by Council Member Schultz.

**Motion was carried with a vote of 2 yes 0 no.**

### Third reading

Council Member Saltsman Sr. gave the third reading of **Ordinance 2017-02-01** by title only **Approving Additional Appropriation in the LOIT Special Distribution Fund as Required Under Senate Enrolled Act 67.**

Council Member Saltsman Sr. made the motion to accept the third reading of **Ordinance 2017-02-01 Approving Additional Appropriation in the LOIT Special Distribution Fund as Required Under Senate Enrolled Act 67**, second by Council Member Schultz.  
**Motion was carried with a vote of 2 yes 0 no.**

**Minutes:**

The public reading of the minutes was waived this month; copies of the minutes were made available for the Council and the public to read prior to the meeting and also available on the Town's website (medaryville.net). Copies are on file in the Clerk Treasurer's office.

January Council Minutes

Council Member Saltsman Sr. made a motion to approve the minutes from the January 18, 2017 Council Meeting, second by Council Member Schultz.  
**Motion was carried with a vote of 2 yes 0 no.**

**Claims:**

Council Member Saltsman Sr. made the motion to approve claims as presented for January 2017, second by Council Member Schultz.  
**Motion was carried with a vote of 2 yes 0 no.**

Claim for Pavement Improvement Contract

Clerk Treasurer Harwood submitted a claim from the engineering work completed as part of the pavement improvement grant.

Council Member Saltsman Sr. made the motion to pay McMahon Associates invoice #0500533, #0500561, #0500588 in the total amount of \$10,000.02 for the completion of the Pavement Improvements Specifications, second by Council Member Schultz.  
**Motion was carried with a vote of 2 yes 0 no.**

Lions Club Reimbursement

The Lions Club made a request to be reimbursed the cost of the electric for the Christmas lights.

Council Member Saltsman Sr. made the motion to pay the electric of \$236.59 for reimbursement of Christmas lights, second by Council Member Schultz.  
**Motion was carried with a vote of 2 yes 0 no.**

**Utility Report:**

Adjustments

Council Member Saltsman Sr. made the motion to accept the adjustment for account 117702 in the amount of 255.03 due to a leak and account 123900 in the amount of \$565.35 due to a leak, and the account 144001 was adjusted due to error in posting in the amount of \$8.68, with the total of adjustments of \$811.70, second by Council Member Schultz.  
**Motion was carried with a vote of 2 yes 0 no.**

Meter tampering

It was found by the maintenance department 105 E. Pearl Street had cut the lock on a water meter and used 25,700 gallons of water. Town Attorney Lapaich advised the council they have the crime of theft with criminal Court but also they have a fine on here that is an ordinance violation and a civil cause of action for conversion if the Town so wanted. The conversion cause of action is you have damages they could be sued for 3 times the cost of damages plus court cost and attorney fees. The Council intends to press charges once the investigation is complete because we have lost possible monies for the Town.

A new lock has been put on the meter until the report is finished by the Police Department or the property owner makes restitution of the loss and damage to the water meter and pays the amounts owed before water can be accessed again.

Council Member Saltsman feels maintenance needs to have a better vigil of watching homes that are empty. Council Member Schultz agrees we should try and protect our landowners, especially those that live out of town. Maintenance Supervisor Hauptli will come up with some ideas of how to possibly follow through with checking more frequently. One suggestion to monthly check the empty properties with a work order that will have recorded the previous reading of when the services was discontinued and if the readings are different the investigation of water theft should be started.

Council Member Schultz made the motion to table the meter tampering and with the cost until next month's Council Meeting (March 15, 2017), second by Council Member Saltsman Sr.

**Motion was carried with a vote of 2 yes 0 no.**

**Town Marshal:**

January monthly stats were submitted to the Council.

Quotes for tires

Quotes were submitted from Rick's Service of Medaryville and FTC Enterprises, Inc. of Francesville with the difference of \$66.92 in the quotes.

Council Member Saltsman Sr. made the motion to accept the quote of FTC Enterprises, Inc. in the amount of \$505.08, second by Council Member Schultz.

**Motion was carried with a vote of 2 yes 0 no.**

**Maintenance:**

Quote for Omnisite repairs and upgrade

On the Council Meeting on December 2016 the Council approved the quote submitted by Maintenance Supervisor Hauptli for removing and reinstalling the Omnisite Alarm Dialer. The quote for the repairs would be given at a later date.

When they received the Dialer for inspection and upgrade they found that the Dialer is reading an error and will need to be replaced to return the unit to full functionality, in addition, the battery in the device is bad and should be replaced. The cost for the inspection, radio upgrade, new XR-50 Main PC, new RTU battery, and shipping will be \$464.

Along with this quote they offered the Town the opportunity to purchase a Service contract for the unit at a cost of \$300, this contract would cover the cost of these repairs except for the new battery, and return shipping, total cost of \$334.

**Old Business:**

Lawyer agreement

The Attorney contract from the Law Office of Cassandra Hine, P.C. was tabled last month because of some concerns in regards to costs.

Town Attorney Lapaich spoke with Cassandra and she responded with a letter regarding the legal representation and the hourly rate for her time and any time spent by her paralegal, dated January 23, 2017. The only thing Attorney Lapaich asked was to clarify the scope of services to include prosecution of ordinance violation.

Attorney Hine complied with a follow up letter dated February 1, 2017, so both letters go together and the old contract she sent would be inapplicable and the hourly rate of \$185 for her time and \$120 for any time spent by her paralegal on Town matters.

Council Member Saltsman Sr. made the motion to accept the letter from the Law Office of Cassandra Hine, P.C. of San Pierre in the amount of \$185 an hour plus if necessary \$120 for any time spent by her paralegal, second by Council Member Schultz.

**Motion was carried with a vote of 2 yes 0 no.**

**New Business:**

Baseball License

The signed Baseball License was presented to the Council and Clerk Treasurer Harwood was concerned that not all the keys for the baseball building were returned to the Town, there are 2 keys missing. Clerk Treasurer Harwood and Town Attorney Lapaich added wording to the license to ensure all keys are returned otherwise the baseball league will need to pay for costs of the lock to be rekeyed and new keys.

Council Member Schultz made the motion for 12 (twelve) new keys and new locks be replaced on the baseball building, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 2 yes 0 no.**

Council Member Schultz made the motion to accept the license agreement for the Baseball Diamond property with David Allen, President of West Central Youth League, subject to with them providing the certificate of Liability insurance, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 2 yes 0 no.**

Council Member Saltsman Sr. made the motion to pay for the keys and new locks for the baseball building to be taken from the Baseball Diamond Property Donation Fund, second by Council Member Schultz.

**Motion was carried with a vote of 2 yes 0 no.**

Maintenance Supervisor Hauptli made the suggestion to use the money from the Baseball Diamond Property Donation Fund to paint and repair the structures. Council President stated since there is no money coming in from the baseball property and the Town is paying the utility bills he is very hesitant to spend the money. Council President Schultz volunteered to call and ask the West Central Youth League if they would be willing to volunteer the labor if the Town provided the materials.

**Town Issues:**

Clerk Treasure Harwood submitted the rough draft of the Employee Handbook to each Council Member to review and discuss at next month's Council Meeting.

With nothing further to discuss, Council Member Saltsman Sr. made a motion to adjourn the February 2017 monthly Town Council meeting, second by Council Member Schultz.

**Motion was carried with a vote of 2 yes 0 no.**

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Robert Schultz, Council President

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Suzanna Wilcoxon, Council Vice President

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Raymond Saltsman Sr., Council Member

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Attest: Clerk Treasurer, Judy Harwood