

# MONTHLY MEETING

## May 17, 2017

The Town of Medaryville met in regular session on May 17, 2017 at 6:30 pm with the following members present:

Robert Schultz	Council President
Suzanna Wilcoxon	Council Vice President
Raymond Saltsman Sr.	Council Member
Judy Harwood	Clerk Treasurer
Jackie Hines	Deputy Clerk
Keith Hauptli	Maintenance Supervisor
Amber Lapaich	Town Attorney
David Combs	Chief Town Marshal

### **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.

### Council Minutes

Council Member Wilcoxon made a motion to approve the minutes from the April 19, 2017 Council minutes and May 10, 2017 Special Meeting minutes, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 3 yes 0 no.**

### **Claims:**

Council Member Wilcoxon made the motion to approve claims as presented for April 2017, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 3 yes 0 no.**

### McMahon invoice

Council Member Wilcoxon made the motion to pay McMahon Associates, Inc, invoice #0500772 in the total amount of \$2,225.30 for the second phase of the bidding Assistance from February 26, 2017 to April 15, 2017, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 3 yes 0 no.**

### Keystone Annual software renewal

Council Member Wilcoxon made the motion to pay Boyce Systems Maintenance for License renewal and maintenance in the amount \$5,445, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 3 yes 0 no.**

**Utility Report:**

Adjustments

Council Member Wilcoxon made the motion to accept the adjustment for account 110800 in the amount of \$2,845.37 due to new meter not calibrated correctly, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 3 yes 0 no.**

**Town Marshal:**

Chief Town Marshal Combs submitted the monthly stats and reported they have started on the abandoned vehicles and trash ordinances.

Council agreed to add one additional part-time officer, Cody Foust to fill in for some additional hours. Chief Combs also suggested with the current problems the Police Car has been having that the Council should think about purchasing a new vehicle with the new budget.

Council President Schultz voiced his concern to Chief Town Marshal Combs of two signs that state "caution children at play" is being set out by residents. The signs are being set up after school and possibly in the Town's right of way. He was concerned of whether there is a liability on the town because it appears the town is allowing the signs. Town Attorney Lapaich advised the Council if the signs are on the right of way or hampering views they could have the right to ask it to be removed or moved back to their own property.

Homeowner Jack Barnett requested for the Police to patrol the Town Park because children are staying in the park after ten playing obscene music.

**Maintenance:**

NO Report given, but wanted to thank Eric Haring Farm and Mark Sams for donating their time and equipment to grate the Baseball Diamond.

**Old Business:**

2017 Pavement Improvement Project

John Sturgill, from McMahon Engineering, presented a contract for signatures of a notice to proceed and provided an amended signature page of some compliance certifications that were not included in the original contract. Once the Council approves and signs the Notice to Proceed he will submit them to the contractor tomorrow morning and by contract they have 15 days to start the project (June first).

Council Member Wilcoxon made the motion to approve the contract for the 2017 Pavement Improvement Project, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 3 yes 0 no.**

License Agreement for Peak Inn

Council President Schultz submitted a license agreement with the Peak Inn regarding a sign near the highway was presented to the Council Members. The sign will be connected to the town electric pole on 104 S US 421.

Clerk Treasurer Harwood contacted State Board of Accounts and they approved for Mr. Schultz to write his own personal check to NIPSCO for the extra use and submit it with the town's payment and the town's appropriation would not be effected.

Town Attorney Lapaich recommended for Council President Schultz because he has an interest in the matter to abstain from the motion.

Council Member Wilcoxon made the motion to accept the license agreement to allow the placement of a sign on 104 S. US 421 and East Main Street, between the Town and KRS Ventures Corporate d/b/a Peak Inn, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 2 yes 0 no 1 abstain.**

Town Attorney Lapaich submitted the ordinance to change election years and also ordinance to change from conventions to primaries. She wanted the Council to take note you should not pass these ordinances this year, rather, these should be adopted in 2018. State law specifically says the legislation has to be passed the "year preceding" the municipal election.

### **New Business:**

#### KIRPC

Edwin Buswell, from the Kankakee-Iroquois Regional Planning Commission (KIRPC), introduced himself to discuss an available grant for a new water tower through the Indiana Office of Community and Rural Affairs (OCRA).

OCRA grants have two rounds a year and the next round must have a letter of intent by July 7, 2017 and the application submitted by September 1, 2017. The income surveys are good for 4 (four) years so the income survey the Town had done for the lagoon wastewater grant is still valid till next year. The income survey was at 72.26% for low to moderate income and you only have to have 51% to qualify. The grant amount is based on the size of the project, your rates, and low to moderate income percent so right now based on these for a project under a million dollars you would be eligible for \$550,000 but if the project is over a million you can apply for \$650,000 and requires a minimum of 20% match.

Several things must be done before the application is submitted in September. We need to have financing in place, need to know where the local match is coming from, a preliminary planning done, environmental review, permits, and control of your site where construction is going to take. The Town must have a public hearing prior to the letter of intent and a public hearing prior to the application.

The Town is required to have a certified grant administrator, KIRPC does not charge to write the grant so if not funded you owe KIRPC nothing. If the grant is awarded KIRPC charges 5.5% for grant administration and \$3,000 for the environmental review and \$5,000 for labor standards.

Mr. Buswell made it clear the preliminary engineering cost cannot be paid from grant funds but can be credit toward the match.

Council Member Wilcoxon made the motion to proceed with the preliminary engineering and letter of intent and start the application for the new water tower, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 3 yes 0 no.**

Mr. Buswell wanted to bring up KIRPC has a contract with INDOT for local traffic counting in our eight counties with a three year cycle, Pulaski County will be starting in July, so sometime this summer or fall they will be doing the town's traffic counting. If there are any particular streets the town wants counted for any reason the town needs to let KIRPC know. John Sturgill of McMahan would like a traffic count for the next street project the town will be pursuing.

#### Donation for FCCLA

West Central FCCLA (Family, Career and Community Leader of America) members attended a state competition in Muncie, Indiana on March 9-11, 2017 and three members earned gold medals that qualified them to attend Nationals this July in Nashville, Tennessee. For members to accomplish this goal of proceeding to national competition our community and surrounding communities are asked to support and encourage them by making a donation to West Central FCCLA.

Council Member Wilcoxon made the motion to donate \$50 to the West Central FCCLA, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 3 yes 0 no.**

#### **Town Issues:**

##### Tire Replacement

Tammy Onder requested to be on the agenda for tire damage she received from a pot hole by the Family Express on the left hand side just before you get to the stop sign. She claimed it was dark and had just rained so the pot hole was filled with water making it impossible to see. The Council realizes you had to be right on top of it before you can see it and she is right about water standing there, maintenance should have had it marked or barricades around it. They all were in agreement she shall be reimbursed for a replacement tire.

Town Attorney Lapaich suggested the Town wait until she can draft a waiver of release of liability before reimbursing for the tire.

She also asked if they convert the duplex next door into one apartment and make the back part a garage. She was recommended to approach the Building Commissioner on the specifications of converting into a garage, but for the sewage bill will not be waived until you have the permit and the job done.

Council Member Wilcoxon made the motion reimburse \$70 in damage to one tire on May 1, 2017 to the Onder's subject to her executing a waiver of release from liability along proof of the purchase of the tire, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 3 yes 0 no.**

##### 213 N. Maple Avenue

Council President Schultz brought up a complaint of a broken tile on Maple Avenue and asked Maintenance Supervisor Hauptli what he thought the problem could be. He replied about 5 years ago he found a tile that was 100% full and dry which told him the tile had not been used for years so they covered it up. Apparently by what they have found recently there is another set of tile they did not find when they dug it up previously.

He suggested doing extra digging to find what is wrong to cause all the water on the driveway of 213 N. Maple Avenue. Council President Schultz wants it investigated and locates the blockage and asked if maintenance was able to perform the job. Maintenance Supervisor Hauptli cannot do the work now because the backhoe is down with leaking cylinders.

Council Member Wilcoxon made the motion to repair the tile on 213 N. Maple Avenue, second by Council Member Saltsman Sr.

**Motion was carried with a vote of 3 yes 0 no.**

Possible Rental Monitor

Council President Schultz gave each council member a copy of a Knox Ordinance given to him by Police Chief Combs that would allow for the town to better regulate the homes that are rented. He is looking into a possible occupancy report or permit by the Town's monitor before someone can move in. He suggested to the Council the monitor can be someone that the town pays, not the county building inspector.

Town Attorney Lapaich would like to review and research the ordinance and ensure that permit costs can be established by law.

Community Foundation Grant

The Council has been working on the information to submit on the Placemaking Grant Application. Council President Schultz acquired the cost information and Council Vice President Wilcoxon prepared the application. The project will turn the vacant lot on 104 S. US 421 into an eye-appealing place for residents and travelers. The plan will include a gazebo, 4 benches, plant flowering trees and flowers.

Council Member Saltsman Sr. made the motion for Council Member Wilcoxon to finish the Community Foundation Grant application, second by Council Member Schultz.

**Motion was carried with a vote of 3 yes 0 no.**

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

**Motion was carried with a vote of 3 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