

TOWN COUNCIL MEETING
January 25, 2021
7:00 p.m.

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE

President S. Darnell called the meeting to order at 7:00 p.m. via tele conference.

II. ROLL CALL

Roll was called by Clerk-Treasurer C. Udvare; present were Council Member J. Ton, Council Member D. Lafata, Council Member S. Darnell, Council Member J. Fisher, and Council Member L. Kittredge.

III. APPROVAL OF MINUTES

Council Member J. Fisher made the motion to approve the minutes of the January 11, 2021 meeting, motion seconded by Council Member L. Kittredge; motion approved by unanimous roll call vote (5-Yes, 0-No).

IV. CONSIDERATION OF CLAIMS

Council Member D. Lafata made the motion to approve the claims as presented, motion seconded by Council Member J. Fisher; motion approved by unanimous roll call vote (5-Yes, 0-No).

V. PETITIONS AND COMMENTS FROM THE FLOOR

Waiver of Standards- Aldi Site Sidewalk Construction- Town Engineer M. O'Dell reported that there is a Nipsco poll and a utility box within 4 feet of the curb line on Indian Boundary Road. There is a small section of sidewalk that will need to be reduced from the Town's standard of 5 feet to 4 feet. Engineer O'Dell requested that the council take this matter under advisement and send it to Department Heads for review. Aldi is also asking to delay installation of sidewalk installation along Council Drive due to the possibility of future development in that area. Council Member D. Lafata made the motion to take Aldi's requests for sidewalk modifications under advisement, motion seconded by Council Member J. Ton; motion approved by unanimous roll call vote (5-Yes, 0-No). More information will be provided at the next Town Council Meeting.

Point of Order - Consideration of an Agreement with NIPSCO- Council Member J. Ton asked for a point of order regarding adding a consideration of agreement with Nipsco to the

agenda. Council Member J. Ton made the motion to add the NipSCO agreement consideration to the agenda, motion seconded by J. Fisher; motion approved by unanimous roll call vote (5-Yes, 0-No). Town Attorney C. Nolan explained that NIPSCO approached the Town in 2019 in regards to an easement across from a vacant lot across from the water tower and Town property on Broadway. When Town Engineer M. O'Dell reviewed this, it was discovered that the easement would prevent the Town from ever being to develop the property in the future for government use. A license agreement was proposed that can be revoked on 2 months' notice. NIPSCO has to remove the line at their own cost. NIPSCO is to pay \$1,500 to the Town to upgrade a line that has been there for 50 years. Council Member J. Fisher made the motion to approve the agreement with NIPSCO, motion seconded by Council Member L. Kittredge; motion approved by unanimous roll call vote (5-Yes, 0-No).

Vacate a Portion of Public Way- Northeast Corner of Sand Creek Dr. South and CR 1100

N. – Attorney Todd Leeth represented petitioners Todd & Laura Elliott. Leeth explained that this vacation is regarding a lot in Sand Creek and is similar to an easement vacated not long ago in regards to the Smiegel family. This request actually has to do with the lot immediately next door to the Smiegel's lot. The easements are exactly the same easements that were placed in an earlier subdivision plat. Lots 67 and 66 have easements that were never fully platted when these 2 lots were created and the easement was created several year earlier. Somehow, the easements were never vacated in the current plat of the subdivision used to create these 2 lots. The Elliotts are asking to vacate the easement on lot 66. Leeth asked that the issue be allowed to carry over to the next Town Council meeting. Town Attorney C. Lukmann expressed to the Council that he has reviewed this petition from the Elliotts and commented that it is identical to the Smiegel's petition which was previously approved by Town Council. Attorney Lukmann advised to set the public hearing for February 22, 2021 so there is time for Leeth to get out the public notice. Council Member J. Fisher made the motion to set the Elliott's petition for public hearing on February 22, 2021, motion seconded by Council Member J. Ton; motion approved by unanimous roll call vote (5-Yes, 0-No).

VI. REPORTS FROM OFFICIALS & DEPARTMENT HEADS

A. Police—Fleet Replacement Quotes- Interim Chief N. Brown reported that he was asked to begin the fleet replacement quote process for 2021 in December 2020. Quotes were obtained from Ford (for vehicle purchases) and from Bartronics (for outfitting of said vehicles). Chief Brown said four vehicles & their respective outfitting came in at a price of \$197,074.71. Council Member J. Ton made the motion to approve the fleet replacement purchase, motion seconded by Council Member D. Lafata; motion approved by unanimous roll call vote (5-Yes, 0-No).

B. Fire –Surplus Gas Range- Interim Fire Chief E. Camel reported there is a range, which was received as donation, that the Fire Department would like to request as a declaration of surplus. Chief Camel said the range is too big for what is needed at the fire station and that he would like

to get something more beneficial in place for the Fire Department. Fire Department Liaison J. Fisher explained that she and Chief Camel have discussed the issue and that she recommends liquidating the asset to make funds available for something more sustainable. Council Member J. Fisher made the motion to declare the range surplus, seconded by Council Member L. Kittredge, motion approved by unanimous roll call vote (5-Yes, 0-No). Additionally, Chief Camel reported that insurance has reached out about the Engine 510 accident. A clear title is needed to send the engine to salvage. Chief Camel asked to use the insurance money to clear the engine's lien with Horizon Bank for a balance of approximately \$188,000. Council Member J. Fisher made motion to proceed with paying off the \$188,000 lien at Horizon Bank, motion seconded by Council Member J. Ton; motion approved by unanimous roll call vote (5-Yes, 0-No). Chief Camel explained that bids for the new engine did go out last week and that he will have them back for the February 22, 2021 meeting to present to the Town Council.

C. Clerk Treasurer – CEDIT Report- Clerk Treasurer C. Udvare made the Town Council aware of what was left in the CEDIT fund. Clerk –Treasurer Udvare further explained that she is currently collecting CEDIT fund requests from Department Heads.

D. Streets, Sanitation, & Central Service –CEDIT Funds Use Request-Street Commissioner J. Schnadenberg explained that a couple years ago the state legislatures decided to take half of MVH funding and put it in a restrictive fund only to be used on roadways. To offset this, the street department uses \$200,000 of CEDIT annually towards salt for roadways. Commissioner Schnadenberg requested some of that allotted funds be used to pay the insurance bill for the Street Dept. Council Member D. Lafata made the motion to approve the funding, motion seconded by Council Member J. Fisher; motion approved by unanimous roll call vote (5-Yes, 0-No). Commissioner Schnadenberg mentioned that bids for community crossing grants for Dickenson road and Railroad will be presented at the next Town Council meeting.

E. Engineering—Town Engineer M. O'Dell gave an update on the construction off of Village Point across from Symphony. Engineer O'Dell said Lake Erie Land Company has been doing shovel work for lots 7-12, which was approved by the Plan Commission late last year.

F. Building —Building Commissioner M. O'Dell said KFC appears to be closed. KFC's sign has been removed. Commissioner O'Dell said his department will be watching to see if anything new comes in the space.

G. Parks – Superintendent S. Griffin reported that lots of positive responses have been received for RFP for Coffee Creek Park.

H. Attorney—NO REPORT

I. Utilities—NO REPORT

J. Town Manager—NO REPORT

VII. PUBLIC HEARINGS, BID OPENINGS, & REMONSTRANCES

NIRPC-Council Member J. Ton has been elected to NIRPC's Executive Board. Council Member Ton is entitled to a seat on the Technical Planning Committee, which approves all grant

applications that are INDOT/federally funded. Council Member Ton expressed that he would like to appoint Mark O’Dell as his proxy on the Technical Planning Committee, commenting that O’Dell has done a great job on the committee in the past.

VIII. ORDINANCES AND/OR RESOLUTIONS

NONE

IX. COMMUNICATIONS

CBLT Letter-Clerk Treasurer C. Udvare said she has received a letter from the CBLT indicating that they will not be applying for the Main Street Grant this year.

X. OLD BUSINESS

Quiet Zone- Council Member J. Ton said there is nothing new to report. The project has been moving slowly due to the economy and other issues related to the pandemic.

XI. NEW BUSINESS AND/OR UPDATES

Board Vacancies- There is one board vacancy on the Police Commission and one board vacancy on the FDOC (Fire Department Oversight Committee). Council Member J. Fisher said interviews need to be conducted for the applicants. Council Member Fisher proposed February 16, 2021 at 4pm for these interviews. There is one opening on the Storm Water Management Board. Former Board Member, Paul Stofko, is willing to be reappointed. Council Member J. Ton made the motion to reappoint Paul Stofko to the Storm Water Management Board, motion seconded by Council Member J. Fisher; motion approved by unanimous roll call vote (4-Yes, 0-No); motion to be further approved by Council President S. Darnell.

Reappointment of Lisa Woodrich to Dunes Tourism Board- Council Member J. Ton made the motion to recommend to the Council that Lisa Woodrich be reappointed to the Dunes Tourism Board, motion seconded by Council Member D. Lafata; motion approved by unanimous roll call vote (5-Yes, 0-No).

XII. COMMENTS FROM THE BOARD

Council Member S. Darnell:	No comment
Council Member J. Fisher:	No comment
Council Member L. Kittredge:	No comment
Council Member J. Ton:	No comment
Council Member D. Lafata:	No comment

XII. ADJOURNMENT

Council Member L. Kittredge made the motion to adjourn, motion seconded by Council Member D. Lafata; motion approved by unanimous roll call vote (5-Yes, 0-No).

ATTEST:

COUNCIL PRESIDENT

CLERK TREASURER C. UDVARE