

The regular meeting of the Kirklin Town Council was held on Monday, July 9, 2018 at Kirklin Town Hall at 7:00 p.m.

On the call of the roll, the following Town Council Members were present: Jerry Faucett, Melinda Jobe, Walt Minnick, Valerie Pearson, and Jennifer Rustin.

Also present were: Darren Wells-GRW, Kent Schuch-Triad Assoc., Crystal Houston-Park Board/Kirk's Crossing, Mike Wallace, Billy Walker, Jay Moore, Matthew Myers, & Mary King.

The meeting was called to order by Council President, Walt Minnick. He then led the Pledge of Allegiance and prayer.

MINUTES - The Minutes from the meeting held on June 11, 2018 were approved as written.

WATER PROJECT - The IOCRA grant application has been prepared and is ready for submittal. Darren Wells, GRW Engineers, presented a written progress report and reviewed the report with the Town Council. GRW is continuing with preliminary design and it should be complete by August 31st, pending funding approval. The final design phase should be complete by October 1st. Anticipated permitting will take place between September and October. The project should be ready for bid between October and November, with construction beginning January 2019. All of this is contingent upon funding for the project. They have had field crews in town and will continue to have more collecting information about water meter locations, etc.

WASTEWATER PROJECT - Kent Schuck, Triad Engineering, provided an Action Plan for week #7 prior to the meeting and stated that he felt like IDEM had approved it in an email. The way Jay read the email from IDEM is that they usually like something more formal, but they understand where things are. Jay will follow-up with IDEM to be sure the Action Plan has been approved. The Aeromod System has been installed and Billy met with representatives. Mr. Schuck said that we are basically down to getting the ponds pumped out and the lift station for the e q basins. He also reported that by the end of July or 1st of August, the ponds should be pumped out. Walt Minnick reported that the town had received a letter approving change order #3 from the SRF. Mr. Schuck explained change order #4 that was presented to the Council for approval. Jay Moore and the Town Council reviewed the change order. Mary King expressed frustration that invoices for Fluid Waste Services and diesel fuel that the town paid for was included in the change order. She explained that she had been told to send the invoices to Crosby Construction for payment because it was part of their contract. Billy had authorized Fluid Waste Services to come because IDEM wanted the issue taken care of immediately. King does not feel like it is fair to make Fluid Waste Services wait for payment. She also pointed out that if the issue is handled as a change order and submitted to the SRF for payment, the town will be paying the invoices through our loan. Jay's understanding of the contract is that Crosby was responsible for those areas of the plant that they were performing work on and were required to keep the plant in operation. He also stated that if the SRF determined that the expense could be paid for out of contingencies, then Crosby could be paid. There was discussion concerning whether or not the expense should be paid by the town or if Crosby had already been paid to take care of this portion of the project. Jay does feel like Crosby had responsibility for letting the plant get out of control and voiced the concern that by approving the change order it will appear that they weren't responsible. After review & discussion, Jay Moore's advice is to remove the amount charged by Fluid Waste Services totaling \$17, 212.50 from the change order document, and to discuss the issue when the project is complete and prior to releasing the retainage. Valerie questioned if the issues should have been foretold by the engineers and if they should have known that the equipment was not going to be adequate to take care of the gap between things happening. She also questioned why the town should be responsible for them not knowing and feels like they are asking the town to pay because they didn't see the issues coming. She doesn't feel the extra expense should have been outside the original project cost. Kent Schuck stated that he didn't think tonight was the night to solve the issue. Valerie is not comfortable approving a change order that she did not have enough time to look over. Billy also reported that Crosby pumped sludge from one of the ponds into the digester after he told them not to. This caused him to have to have stuff hauled off and to re-seed again. Kent said that we have

\$71,000.00 in retainage. Billy said that we not only have the \$71,000.00, but should an additional \$22,000.00 for the removal of demolition of the trickling filter from the project. Billy stated that IDEM still wants the drying beds cleaned which would cost \$30,000.00-\$45,000.00 because they feel the beds are too full. He also stated that many items were cut from the project so any contingency money could easily be used up. A motion was made by Melinda Jobe to approve Crosby Construction pay application #9 in the amount of \$107,478.00. The motion was supported by Jennifer Rustin and carried with a unanimous vote. A motion was made by Jennifer Rustin to approve the change order with revisions, and to approve an increase in the contract amount of \$26,600.00. The motion was supported by Melinda Jobe and carried with the following vote: Valerie Pearson-abstained, Jerry Faucett-yes, Walt Minnick-yes, Jennifer Rustin-yes, & Melinda Jobe-yes. Melinda Jobe made a motion to pay Fluid Waste Services in the amount of \$17, 212.50. The motion was supported by Jennifer Rustin and carried with a unanimous vote.

KIRK'S CROSSING FESTIVAL COMMITTEE - Crystal Houston read a note written by Bethany Clements thanking the Town Council for allowing them to borrow the golf cart and to try new events. The committee would like approval of the following events included in the Minutes: fireworks, beer garden, evening bands, & water ball contest. Melinda Jobe explained that Kirklin Main Street brings a list of events to the Town Council in January or February with a list of any special needs they have for blocking of streets and that type of thing. Crystal said that the committee will be happy to do that too. Crystal asked if any of the newly added events caused problems. Billy requested that they have the water ball contest earlier in the day so that he isn't out flushing hydrants late at night. She asked about the festival being insured and Melinda told her it is covered under the town's umbrella. Jennifer asked if the Council could approve the events for the 4th weekend of every year. It was decided that with possible changes in Town Council Members and Kirk's Crossing Festival Leaders it would be best to have the events approved annually. Jennifer Rustin made a motion to approve the beer garden and fireworks and water ball games that took place at Kirk's Crossing this year in June. The motion was supported by Melinda Jobe and carried with a unanimous vote. Crystal mentioned that the golf cart had a steering problem. Billy said that the rack is out of it and is in the process of getting repaired. Mary King said that it was important that the Kirk's Crossing Committee knows that, if the town receives funding, the water plant will most likely be under construction next spring/summer. Everyone agreed to keep communication open when it comes to baseball/softball and the festival for next year. Darren said that if knows ahead of time, he can speak with the contractor about the events and doesn't think there will be any issues since the jobsite should be fenced off.

PETITIONS OR COMMENTS FROM CITIZENS PRESENT

DRAINAGE ISSUE - 114 S. MAIN STREET - Mike Wallace would like for the town to cut a small depression on his side of the alley so that it flows to the street. He feels that this will help his drainage issue. Jerry Faucett feels like the center of the alley could be cut down as well. Mike said that Dan Sheets told him that he did not say that the alley could not be graded as was reported at a prior meeting. Mike stated that Liz (APC) said that the only thing she approved for the Jobe's was the building itself and not the access. Jerry Faucett asked who all was at the meeting with Dan Sheets. Those attending were: Dan Sheets, Billy Walker, and another unknown gentleman that Jay said was a contractor that does work for the county. Billy said that they were looking at storm drains for the county and what could be done. Jay stated that he didn't think there was a final decision made that day. They were looking for ways to put a drain down the alley way and having the two parties involved tie into the drain and go under the road to tie into the structure there. Dan Sheets told them that there is a county drain that runs under Gear Headz and that it might be possible to extend that and tie onto the county tile. Mike asked that until that is done, the town do as he suggested, and cut a depression down the side so it won't flood the street and the alley. He feels that it is very simple and will only take a half an hour with the backhoe. Mike also complained that he feels that his meter was raised up to high and it freezes in the winter time. He stated that it caused his water to be frozen for 7 weeks last winter. He demanded that the meter be put back where it was. Billy Walker said that he will not raise the meter and that he has others in town higher than Mike's and they have been fine. Mike said that the water runs down the line and causes the line to freeze. Jerry asked if the meter that Billy changed out was an old "saddle-

type". Billy said that it was the old horse-shoe type. Billy said that he can put an insulator in the pit. Jerry explained how Billy could dig the trench since the grader box is not heavy enough to cut through the hard-packed gravel. Mike Wallace would like the trench by the fire hydrant and down the side of the alley where gravel was added two years ago. Mike said that the Jobe's have a discharge drain shooting water into the alley, which is against the law according to Dan Sheets. Billy noted that Mike pumps water out of his basement when there is no wet weather. Mike said that he talked to Liz, Mark and Dan and they say they did not say that the alley could not be lowered. Billy said that the meeting that they all had in the alleyway, they came to the conclusion that APC did approve the building the Jobe's built and that the Jobe's have a legal right to access. Mike said that they do not have a legal right to raise the alley and flood him out. Walt would like Billy to get the project done as soon as possible. Billy said that the people he has asked are so busy he hasn't even gotten a bid from them yet. Jerry has asked a couple of guys and they don't have time to come and give a bid.

VIOLATIONS AT 207 N. OHIO STREET - Liz Stitzel with the Area Plan Commission sent an aerial photo of the condition of property located at 207 N. Ohio Street. The issues that she has sent letters to Brad Baily addressing are for the wood & fence being 20 ft. in the town right-of-way on the street and completely blocking the alley between the shed and parking lot for the Kirklin Christian Church. She intends to take him to court, but wanted to be sure that she had the support of the Town Council. After review of the violations, Walt Minnick made a motion to support Liz taking the issue to court. Jennifer Rustin supported the motion. The motion was carried with the following vote: Jerry Faucett-abstained, Valerie Pearson-yes, Walt Minnick-yes, Jennifer Rustin-yes, & Melinda Jobe-yes.

PARK & RECREATION BOARD - An invoice from Jones Electric service in the amount of \$4,171.20 has been received for electrical upgrades at the park. Crystal Houston said that the Kirk's Crossing Committee has discussed splitting the cost of the upgrades with the park department. Walt Minnick made a motion to approve payment of half of the invoice, based upon Kirk's Crossing paying the other half. Jennifer Rustin supported the motion and it was carried with a unanimous vote. The women's restroom at the park has water coming up through the floor drain especially when they had a heavy rain. Jerry Faucett cleaned it out partially, but hit something and didn't go any further. It was suggested that the Park Board have Douglass Sewer & Septic try to clean the drain.

STORM WATER DRAINAGE ISSUES - Jerry reported that Katherine King who lives on the corner of Clay/Ohio Streets has had trouble with water standing and getting into her garage when it rains the past couple of years. Jerry thinks that it could be from the stone that her family hauled in. Scott Snell, 608 N. Ohio Street also has issues with drainage that need looked at. Billy reported that the future paving projects will include grinding down the streets. Jerry also talked about a drainage issue on Francis Street. Billy will look into Katherine King's issue.

UTILITIES DEPARTMENT - Billy reminded everyone that he will be going to training for the Aeromod System and will be gone from July 23rd-26th. Billy also reported that the Hoffman's at 408 W. Jefferson Street are in the process of hooking on to the sanitary sewer. They were one of the properties that were annexed in 2014.

POLICE DEPARTMENT - Matt reported that we have received three applications for the Marshal position and another one is in the mail. Three of the four applicants have met the training requirements. The fourth applicant may be able to test into tier II with the training they have had. Jay stated that the Town Council could meet in Executive Session to narrow the list of applicants to three, but the actual interviews will have to be conducted in a public meeting. The Town Council will meet on Monday, July 16, 2018 at 6:00pm in Executive Session to review the applications and narrow the pool to three candidates. Matt has had another town ask to lease the Charger for a few months. After a brief discussion, the Council decided that it would not be a good idea due to issues such as insurance, repairs, etc.

CLERK-TREASURER - A sewer adjustment request for a pool fill sewer only - Robin Poyner \$49.80 was presented. After review, a motion was made by Jennifer Rustin to approve the sewer only adjustment in the amount of \$49.80 for Robin Poyner. The motion was supported by Melinda Jobe and carried with a unanimous vote.

A meeting to work on the 2019 Budget was set for Monday, August 6, 2018 at 7:00 pm.

Community Center roof replacement was budgeted for 2018 and the Council agreed to solicit bids to be opened at the regular meeting in August.

Fund, Revenue, Appropriation Reports, & Register of Claims were given to the Town Council for review prior to the meeting.

June Reconciled Bank Statements were presented for Council review and signed by Walt Minnick

Register of Claims #8906 thru #8980 & the June Billing Adjustment Register were presented for approval and signed by all Town Council Members present.

Mary King reported that after a brief review of our current Manual, she was told by Kristen Deutsch with New Focus HR that many items in our Policy & Procedures Manual are outdated and we do not have some policies that we need. A new Policy & Procedures Manual would cost \$4,000.00 through New Focus because they do not update H.R. Unlimited Manuals. H.R. Unlimited gave an estimate to update the policy a couple of years ago and the Town Council felt that the fee of \$2,500.00 was too high. Jay will check into less expensive options. Mary stressed that the policy needs to be updated and had been told that she was responsible for the Manual. Jay was not so sure that it true, he feels like it is the Town Council's responsibility.

TOWN COUNCIL - Walt Minnick reminded the Council Members that AIM was having training at French Lick if anyone was interested in attending.

Valerie Pearson has received complaints of grass being blown into the street by people mowing. Matt will check into the properties.

Meeting adjourned at 9:24 p.m.

The Minutes were recorded by Mary King.

Walt Minnick _____

The Kirklin Town Council met in Executive Session on Monday, July 16, 2018 at 6:00 p.m. at Kirklin Town Hall. The purpose of the meeting was to consider the appointment of a public official, consider applications and make one initial exclusion of perspective appointees from further consideration.

Town Council Members present were: Jerry Faucett, Melinda Jobe, Walt Minnick, Valerie Pearson, and Jennifer Rustin.

Only the above listed subject matter was discussed and no other actions were taken.

Meeting adjourned.

Walt Minnick_____

A special called meeting of the Kirklin Town Council was held on Monday, July 30, 2018 beginning at 6:30p.m. at Kirklin Town Hall. The purpose of the meeting was to interview potential applicants for the position of Town Marshal.

Town Council Members present were: Jerry Faucett, Melinda Jobe, Walt Minnick, Valerie Pearson, and Jennifer Rustin.

Also present were: Richard Hanlin, David Rhode, Anitra McKinney, Mathew Myers, Kortney Jobe, and Mary King.

INTERVIEWS - The meeting was opened by Walt Minnick. The following is a list of applicants and their designated interview time: Richard Hanlin 6:30 p.m., David Rhode 7:00 p.m., Anitra McKinney 7:30 p.m. Matthew Myers, Interim Town Marshal, welcomed each applicant when it was their designated interview time. Prior to the interviews, a list of questions were compiled by Matt Myers and Town Council Members. Each applicant was asked the same questions and given an opportunity to respond. At the end of each interview, the applicants were given an opportunity to ask questions of the Town Council. Following each interview, the applicant was dismissed. At the conclusion of all of the interviews, the Town Council discussed each candidate and considered each of their qualifications, driving distance to Kirklin, willingness to move to the area, experience, and familiarity with the community. At the conclusion of the discussion, the Town Council requested that Matt follow up with reference checks, background checks, and to be sure each applicant is aware that the position will require the signing of an annual contract.

MEETING - A meeting was scheduled for Monday, August 6, 2018 at 6:00 p.m. to discuss the information Matt receives, and to possibly appoint a new Town Marshal.

The meeting was adjourned at 9:00 p.m.

Walt Minnick_____