

The regular meeting of the Kirklin Town Council was held on Monday, October 8, 2018 at 7:00 p.m. at Kirklin Town Hall.

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 Engineering, Brad Bailey, Matthew Myers, Kent Schuch -Triad Associates, Jay Moore, and Mary King.

The Pledge of Allegiance and prayer were led by Walt Minnick.

MINUTES – Seeing no additions or corrections, the Minutes for Council Meetings held on September 10th & 24th were approved as written.

2019 BUDGET ADOPTION – No comments have been received concerning the proposed 2019 Budget. A motion was made by Jennifer Rustin to adopt the 2019 Budget Ordinance #2018-10-1. The motion was supported by Melinda Jobe and carried with a unanimous vote.

WATERWORKS IMPROVEMENT PROJECT – GRANT ADMINISTRATION - After review of the proposal submitted by Cornerstone Grants Management, a motion was made by Jennifer Rustin to approve using Cornerstone Grants Management to provide grant administration, environmental review, and labor standards for the OCRA grant and to approve the contract in the amount of \$35,000.00. The motion was supported by Melinda Jobe and carried with a unanimous vote. **LETTER OF ENGAGEMENT** – A letter of engagement was presented from Ryan, Moore, Cook, Triplett, & Albertson to provide legal counsel for the Waterworks Improvement Project. Jennifer Rustin made a motion to retain Ryan, Moore, Cook, Triplett, & Albertson as Legal Counsel for the Waterworks Improvement Project and the issuance of Water Revenue Bonds for a fee of \$18,000.00. The motion was supported by Melinda Jobe and carried with a unanimous vote. **BOND COUNSEL** – A proposal was received from Barnes & Thornburg to provide Bond Counsel for the Water Revenue Bond issue. A motion was made by Melinda Jobe to approve the proposal received from Barnes & Thornburg for Bond Counsel for a fee ranging between \$18,000.00 and \$21,000.00, not to exceed \$21,000.00 /out of pocket expenses not to exceed \$500.00. The motion was supported by Jennifer Rustin and carried with a unanimous vote. **GRW ENGINEERING REPORT** – Darren Wells reviewed the written report given to the Town Council concerning the progress of the water project. He reported that the bid opening date is scheduled for November 1st. The anticipated completion date for bid #1 is by the end of 2019, with bids #2 & #3 completion dates by the end of the summer 2019.

WASTEWATER IMPROVEMENTS PROJECT – Kent Schuch – Triad Associates gave a report on the progress at the WWTP. The painters have still not been back, but are supposed to come this week. The seeding has not been done as it was supposed to be. There are still issues with the mission system notification system as well as electrical issues that Billy has reported. Kent will check into the issues tomorrow. Kent recommended using an herbicide in the spring in addition to cutting or burning the reeds. He noted that it might take multiple applications, but thinks it will be effective. **CROSBY CONSTRUCTION & TRIAD ASSOCIATES PAY APPLICATIONS** – The Council reviewed Crosby Construction pay application #12. Melinda Jobe made a motion to approve Crosby Construction pay application #12 in the amount of \$18,445.00. The motion was supported by Jennifer Rustin and carried with a unanimous vote. A motion was made by Jennifer Rustin to approve Triad Associates invoice #201616B-7 in the amount of \$10,800.00. The motion was supported by Melinda Jobe and carried with a unanimous vote. **CHANGE**

ORDER #5 – Crosby Construction has been given change order #5, but has still not agreed to the changes. Kent said that after change order #5 there would still be approximately \$9,000.00 remaining for construction costs. A motion was made by Melinda Jobe to approve change order #5 in the amount of \$32,398.00 and to extend the completion date to October 10, 2018. The motion was supported by Jennifer Rustin and carried with the following vote: Jerry Faucett-yes, Melinda Jobe-yes, Walt Minnick-yes, Jennifer Rustin-yes, and Valerie Pearson-no.

FENCE LOCATED IN TOWN RIGHT-OF-WAY – Brad Bailey, 207 N. Ohio Street was present to request that the Town Council approve allowing him to keep his fence that was built in the town right-of-way. He stated that when he went to court for the clean-up of his property, he was told that if the Town Council would approve the fence, he could leave it where it is. Brad said that his fence is not the only fence that sits in the right of way and that there is a fence just across Hwy 421 on the same street (208 N. Main St) he lives on that appears to be in the town right-of-way as well. Walt stated the APC guidelines were set up to help with conformity. Jay explained that things have been super imposed onto the APC maps and could be off to a degree. The only way to know exactly where the town right-of-way is would be to have the street surveyed. Jerry Faucett feels that there are other people around town who have things in the town right-of-way. Melinda Jobe made a motion to allow Brad Bailey to keep his fence where it is, but the property owner will be responsible to remove the fence if the town needs to use the right-of-way. Valerie Pearson expressed concerns when the town has a Code of Ordinances and then allows people to not follow the rules. The motion was supported by Jerry Faucett and carried with the following vote: Jerry Faucett-yes, Melinda Jobe-yes, Walt Minnick-yes, Valerie Pearson-no, and Jennifer Rustin-no

PARK/RECREATION BOARDS – There were no members from the Park or Recreation Boards present.

DRAINAGE ISSUES – Jerry Faucett stated that he had been thinking about the property owner putting his property at the corner of W. Monroe & S. Main Street up for sale. Jerry doesn't think it's a good idea to spend \$11,000.00 putting curbs and gutters in and that whoever buys the property may not want curbs and gutters there. He noted that there aren't any curbs and gutters on the other side of the street and feels that the property owner should be consulted.

ABANDONED GAS STATION - There are concerns about the large area that has been dug up and remains exposed at the old Marathon gas station, 117 S. Main Street. It creates a hazard because the caution tape is down, and it is located in the downtown area. Mary King will contact Jeff Wellman with the Indiana Dept. of Homeland Security to see if he has any information. Mr. Wellman came out several months ago to look at the situation when it first occurred.

UTILITIES - Billy Walker was on vacation. A written monthly report was provided to the Town Council prior to the meeting.

POLICE DEPARTMENT - NEW TOWN MARSHAL-Mary King reported that Anitra McKinney was not able to get her physical/drug screen scheduled until today. The doctor did not show up for the physical this morning, so she has to go back tomorrow. She has already had the drug test completed and we have received the results. Anitra is hoping to fill out all the employment paperwork tomorrow. A motion was made by Walt Minnick to approve Salary Ordinance Amendment #2018-10-2, adding Anitra McKinney. The motion was supported by Jennifer Rustin and carried with a unanimous vote. **RIGHT-OF-WAY** - The Council discussed trees, etc. that are in the town right-of-way. Matt will prepare a list and give it to Billy. The two of them will get together and discuss the issues. **CHARGER** - Matt reported that the Charger needs to be taken in for repair of the air conditioner.

CLERK-TREASURER - Fund, Revenue, Appropriation Reports & The Register of Claims was given to the Town Council for review prior to the meeting. The Register of Claims was signed by all Council Members. Reconciled Bank Statements for September were reviewed by all Council Members and signed by Walt Minnick. *LEAK ADJUSTMENT* - A water leak adjustment was presented for Danny Walters in the amount of \$177.60 (1/2 being \$88.80). A motion was made by Melinda Jobe to approve the leak adjustment for Danny Walters. The motion was supported by Walt Minnick and carried with a unanimous vote.

KIRKLIN CHRISTIAN CHURCH 50/50 SIDEWALK REPLACEMENT - A proposal was submitted by Metzinger Construction for the new sidewalks to be put in for the Kirklin Christian Church. Mary King reported that an application to participate in the 50/50 program has not been turned in yet by the Christian Church. Jay Moore said that since the church plans to replace the sidewalk in front of Maureen Bennett's house, she will need to fill out an application for the program even though the church will pay for her portion. He said that she could also sign the application that the church fills out rather than submit a separate application.

EMPLOYEE POLICY & PROCEDURES HANDBOOK UPDATES - Jay reported that Phil Triplett, an attorney in his office, has created a Policy & Procedure Handbook before and can update the town's handbook for a fee of \$2,000.00. Valerie Pearson made a motion to have Phil Triplett update the Employee Policy & Procedures Handbook for the Town of Kirklin for \$2,000.00. Walt Minnick supported the motion and it was carried with a unanimous vote.

WEBSITE UPDATE PROPOSAL - A proposal to create a new website for the town was received by Buckaroo Marketing. They are the developer of the current website, and the current website host. The fee for creating a new website is \$6,600.00. Due to the price, the Town Council agreed to table the proposal for now and consider other options.

KIRKLIN MAIN STREET REPORT - Melinda Jobe gave a report concerning the Street Scape Grant Application. She reported that we are short some of the funds and will probably do a matching grant with the Community Foundation. She reported that INDOT has agreed to help with the bump-outs on Main Street, so that will help out. There will be a meeting on November 14th at 8:00 a.m. to discuss the Street Scape Project.

SEWER LINE - Jerry Faucett reported that he had been contacted by Tonia Donahue concerning the sewer line that was put in for the properties that were annexed on the west side of town. The issue is with some of the ground that has sunk in. Jerry has taken Drew to look at it. There is a big hole by the fence, and the area can't be mowed. Jerry has dirt at the tomato pit and if Drew is free, they will set a pole where she needs to tap on and fill the hole in. Jerry brought up the issue with the project and the discrepancy between what Kyle was told to do, and what should have been done. He said that the line had to be dug back up and reinstalled. Jerry has concerns if the line will work when Tonya Donahue hooks on considering the issues when the line was installed.

Seeing no other business to come before the Town Council, the meeting was adjourned at 8:46 p.m.

Walt Minnick