

A special called meeting of the Kirklin Town Council was held on Monday, November 28, 2018 at 7:00 p.m. at Kirklin Town Hall.

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

Also present were: Steve Brock, Trent Downing, Jerry Smith, Charlie Edwards, Kent Schuch & Mary King.

**WATER RATE ORDINANCE #2018-11-2 HEARING & ADOPTION** - The Public Hearing was opened to consider the adoption of an ordinance to amend the Town of Kirklin water rates and charges for services. Steve Brock gave a brief overview explaining the information that had been presented at the Council Meeting held on November 15<sup>th</sup> where the first reading of the ordinance took place. He explained the total cost of the project will be \$4,308,000.00 and that the project will receive approximately 60% funding from the SRF in the form of a forgivable loan and approximately 14% from an OCRA (Office of Community & Rural Affairs) grant. The balance of project, in the amount of \$1,163,000.00, will be funded with a bond (loan) issued through the SRF (State Revolving Fund). The length of the loan will be for a period of 20-years at an interest rate of 2%. He explained that the proposed water rate ordinance will increase the fee for 4,000 gallons of water to a little over \$49.00. Steve Brock noted that the Town of Kirklin has been awarded the largest grant (forgivable loan) he has seen this year through the SRF. All in attendance agreed that we are a very fortunate community to have received the funding from both OCRA and the SRF to enable us to complete this project. There were no questions from those in attendance. Seeing no further discussion or questions, the Public Hearing was closed. Mary King read the proposed Ordinance amending the Water Rates & Charges. A motion was made by Melinda Jobe to adopt Ordinance #2018-11-2 Amending the Water Rates & Charges for the Town of Kirklin. Jerry Faucett questioned if the section concerning the application of a one-time penalty was correct. He questioned that it did not address the water being disconnected. Jay explained the penalty process being a one-time penalty on current charges not paid by the 15<sup>th</sup> of the month. This is how the penalties have been applied in the past. The proposed Ordinance uses the penalty process that has been used by the town and is printed on the utility bill. The disconnect process has not changed. Seeing no further discussion, the motion was supported by Valerie Pearson and carried with a unanimous vote.

**WATER BOND ORDINANCE #2018-11-1** - The issue to adopt Water Bond Ordinance #2018-11-1 as introduced at a Council Meeting held on November 12, 2018 was opened for discussion. It was explained that, in order to borrow money from the SRF, a Water Bond Ordinance is required to be adopted. Water Bond Ordinance #2018-11-1 was introduced at a meeting held on November 12, 2018 and approved on first reading. Seeing no questions or discussion, a motion was made by Melinda Jobe to adopt Water Bond Ordinance #2018-11-1. The motion was supported by Walt Minnick and carried with a unanimous vote.

**INVOICES FOR FIRST SRF DRAW** - Steve Brock explained that most invoices that will be included for disbursement for services on the day of SRF loan closing have been submitted for approval tonight. Therber & Brock, and Barnes & Thornburg are continuing to work on the project and will submit invoices for approval prior to the disbursement of funds and will have those invoices approved at the regular Town Council Meeting on December 10th. The fees will be at, or less than, the amounts provided in the letters of engagement. He also said that the town will be required to pay a fee for SRF Bond Counsel as well. The range for that fee will be from \$3,000.00-\$5,000.00. Melinda Jobe made a motion to approve the following invoices: GRW Engineers invoices totaling \$229,000.00, Ryan, Moore, Cook, Triplett, & Albertson \$18,000.00 for legal services. The motion was supported by Valerie Pearson and carried with a unanimous vote.

**AWARD OF GARBAGE COLLECTION CONTRACT** - The Council discussed the two bids that were received for garbage collection and looked at a new bid submitted by Clinton County Disposal. Jerry Faucett questioned if it was even proper to be looking at the new bid since the bid opening was held at the last meeting. Clinton County Disposal

submitted a new bid that included the spring clean-up day being provided for free because Smith Trash Hauling included a spring clean-up day as an option in their original bid. After discussion by the Town Council, and advice from Jay Moore, it was decided that the proper way to handle the situation is to disregard the new bid from Clinton County Disposal. It was furthermore decided to strike the section from Smith Trash Hauling that addressed a spring clean-up day since the notice for bids did not request a spring clean-up day. Jay said that the Council could reject both bids and re-advertise for bids that includes the spring clean-up in the request for bids. The decision was made to consider the original bids that were submitted since the new contract will take effect January 1<sup>st</sup> and there is a lack of time to re-advertise for bids. Mary King read the terms of the original bids out loud. Valerie Pearson explained that the Council is obligated to accept the lowest bid unless the Town Council has good reason for not selecting the lowest bidder. Jerry Faucett made a motion to accept the bid from Smith Trash Hauling. Valerie Pearson supported the motion and it was carried with a unanimous vote. Valerie thanked Trent Downing for the years of service Clinton County Disposal has provided. There was discussion concerning the last pick up day for Clinton County Disposal being on Thursday, December 27<sup>th</sup>. Smith Trash Hauling will begin picking up on Monday, January 7, 2019. Jerry Smith stated that he understands there will be extra trash that week since there will be an extra three days. He is willing to pick up extra bags at no additional charge.

**TITLE VI ASSURANCES** - Mary King presented the Title VI Assurances as corrected. A motion was made by Melinda Jobe to adopt the Title VI Assurances. The motion was supported by Valerie Pearson and carried with a unanimous vote.

**WASTEWATER PROJECT** - The Council discussed a letter received where Crosby Construction acknowledged the re-seeding that needs to be done at the WWTP in the spring. Kent Schuch explained that there is a one-year warranty on the project and the landscape is included in that warranty. The letter received states that Crosby will return between May - June 2019 to reseed. Melinda Jobe made a motion to approve the final pay application #14 for Crosby Construction in the amount of \$25,725.00 plus retainage of \$36,035.00, for a total of \$61,760.00. The motion was supported by Valerie Pearson and carried with a unanimous vote. **FISCAL SUSTAINABILITY PLAN** - Steve Brock presented the final version of the Fiscal Sustainability Plan for the Wastewater Treatment Plant and explained that it was required by the SRF. An Asset Management Plan will be required for any future projects. The Fiscal Sustainability Plan only addresses the needs of the plant. When we complete the Asset Management Plan following the water project, we will need to review the entire water system and will include the water plant and the water distribution infrastructure. Steve Brock stated that since there is money left over from the wastewater SRF loan, the cost of the plan could be claimed on the final SRF draw if the Council chooses to do that. Melinda Jobe made a motion to approve the Fiscal Sustainability Plan for the WWTP and to approve payment to Therber, Brock & Associates in the amount of \$4,716.25. Valerie Pearson supported the motion and it was carried with a unanimous vote.

**CHRISTMAS** - The Council and employees will get together for light refreshments beginning at 5:45 p.m. prior to the Council Meeting on December 10<sup>th</sup> for a time of fellowship.

**DOLLAR GENERAL STORE** - Town Council Members were given information to consider at the next regular Town Council Meeting. Developer, Joe Leonard plans to attend the meeting to get a feel for if this is something the town and the Town Council would support.

Seeing no other business to come before the Town Council, the meeting was adjourned at 8:43 p.m.