

The regular meeting of the Kirklin Town Council was held on Monday, August 9, 2021, at 7:00PM at Kirklin Town Hall.

On the Call of the Roll the following Council Members were present Jennifer Bowman, Jerry Faucett, Melinda Jobe, Walt Minnick, and Brent Stetler.

Also present were Charles & Tanessa Curry, Crystal Houston, Patricia Quick, Brendon Bright, Virginia Scott, Bill Scott IV, LuAnn Schoen, Debbie Keller, Dennis Keeling, Jay Moore, and Mary King.

MINUTES – Seeing no additions or corrections, the Minutes from meetings held on July 12, 2021, July 26, 2021, and July 29, 2021, were approved as written.

STAFFORDSHIRE TERRIER DOG COMPLAINT – LuAnn Schoen reported that although the dog has not done anything to her, she wanted to make the Council aware that there is a Staffordshire Terrier living in town. She said that it is on the route that she walks with her dogs and that is why she is concerned. In looking back at old ordinances, she explained that the first ordinance specifically named American Staffordshire Terrier and American Staffordshire Bull Terriers as a banned breed of dog. When the ordinance was cleaned up in 2013 it left many of the details out that the first one had. She looked up information and found that those breeds are the same thing as a Pit Bull. She explained where the dog is located on Hwy. #38. Jerry Faucett said that they are all over town. Brent Stetler said that she should contact the Town Marshal with this type of issue. Brendon Bright said that now that he has received an official complaint, he will investigate it. Patty Quick questioned if dogs still had to be registered. Mary King stated that dogs used to have to be registered with the Township Trustee, but they have registered dogs for years. If she is referring to the specific banned breeds, when the first ordinance was adopted, those who were already living in town and had one could register them and show proof of insurance. They couldn't get another when it was gone though. LuAnn stated that these people may not be aware that they have a breed of dog that is banned.

NEW SEWAGE LINE – Dennis Keeling and Debbie Keller, 425 Pike Street, were in attendance to express concerns about a new sewage line on their property. He has concerns about the direction of where the pipe is going to go. He said that it was going to run right over his electrical line that runs to his sheds. He questioned how much it was going to cost the residents. Jerry said that it wasn't going to cost him anything, but that he doesn't have to give them a right-of-way to do it. He said that the town would do the job, but that they don't have to give them the right-of-way to do it. Mary King explained that the town has before worked out an arrangement for easement agreements. If the resident is willing to allow an easement, for the betterment of the town, the town could work out some form of compensation for the easement agreement. She also explained that the new possible solution for getting the Curry's hooked on was not on the agenda because Billy could not be here. It was planned to be added for next Council Meeting and the plan was to invite them to that meeting. The Curry's and Dennis & Debbie expressed frustration that people came on their property without notifying them that they were coming. Jerry Faucett said that it was probably when they were shooting the grade for the sewage line. He said that he has had several complaints of surveyors out that way coming on people's property without notice. The Curry's questioned how far the town planned to come on their property with the sewage line and said that there is a field tile that runs through the property and that could be an issue. They are also concerned that the plan is to come right through their greenhouse and he doesn't want his Norway's chopped down. Mary King said that typically it's ran to the property line, but that Billy would have all those details. It was noted that the state also has a project going and doing survey work on Hwy. #38 as well. Melinda Jobe requested that the issue be tabled until Billy returns. Walt Minnick assured them that in the future they would be notified prior to anyone from the town coming on their property. Jerry Faucett expressed concerns and wants to be sure all jobs are advertised unless it is an emergency. Charles Curry asked if the Council had made a decision about un-annexing their property. Mary King explained that the reason this alternative was looked into was to help them out so that they would not have to install a lift station in their front yard. Billy would need to explain, but Mary King thinks that the sewage line would extend from the

neighboring property, not from the field. Mary King offered to have the Utility Supt. contact Charles Curry, but he did not want that.

REZONE 105 W. MONROE STREET – A draft change to the UDO Ordinance was reviewed by the Town Council. The changes would include the following language:

1102.06 Additional Permitted uses in the I2 district: Automobile Graveyards and the storage of disabled vehicles, as well as vehicle impound lots (whether or not disabled vehicles are impounded), are permitted uses in the I2 District subject to all standards of UDO 517 except UDO 517.01 & 517.03 shall not apply within the Town limits of Kirklin. All such uses in the I2 district within the Town of Kirklin must meet the requirements of UDO 517.02 with a ten foot tall opaque fence which bears no advertising and is exempt from any conflicting height restrictions in UDO 503.13. The fence shall be maintained in good repair and be constructed and utilized according to UDO 517.02. The Council had no changes to make to the proposal. There was discussion concerning the fence being in the town right-of-way. A previous Town Council allowed Bill Scott to put a new fence where the old fence was located in the right-of-way with the understanding that it would need to be moved if it became necessary for town access. Bill Scott explained that he had to request that because the street may be in the wrong place. He thinks the street should be further to the west. Jerry Faucett said the town creates some issues by not having streets surveyed prior to paving and used an example of Washington Street. He does not know about Illinois Street though. Jay Moore said that a solution could be for the town to vacate part the right-of-way, but the APC does not have that authority. Mary King questioned who would pay for a survey since it wouldn't seem right for the town to pay for a survey to give up right-of-way. Jay said that it could be part of the agreement that the property owner be required to pay for the survey. Bill Scott asked if he needed to file something for the fence. Jay said that since he doesn't know where the property lines are, he couldn't answer that question. Billy may have to ask for a variance if he is too close to property lines. Jay said that the APC will put the UDO amendment on the agenda for September. They will then send the Town Council a recommendation. The Town Council would then make the amendment.

PARK BOARD – Patti Quick requested to purchase an old park bench that was given to the town years ago but is no longer safe for use in the park. The Council agreed that since it was no longer safe for use in the park, she could have the bench. Upcoming events include the sale of caps and shirts as a fund-raiser. They have also considered having a yard decorating contest, Christmas decoration contest, and an Ice Cream Social. She reported that there had been a possible break-in at the window of the shelter house. The padlock bar needs raised (welded) and the men's restroom light is out. They have been working on planting flowers and two new trash cans should be delivered this week. Patty also expressed concerns that people are out walking on the street at night, dressed in black and it's hard to see them. Crystal Houston requested that any information about fundraisers be included on the water bills. Mary King said that we can put a very small notice on the water bills and could also include it on the town website. Crystal said that on September 18th there will be a scholarship benefit for Jaden Quick to purchase a tree and a new bench to go in the park. She explained that the event will be put on by the Legion and that Lacy & Daryl Shoe are in charge. There will be a Car Show from 12-4, Isaac Rudd will play from 7-10, and they want to have a beer garden. She said that T-Bone (Terry Boone) will come up and give all the insurance & permit information at the September meeting. Her reason for attending was to represent the Park Board and to let the Council know that they have approved this function. Bill Scott said that the Back to the 50's Festival in Lebanon is going on that day. LuAnn Schoen questioned if there was such a thing as a solar camera that could be put up high on one of the poles at the park. Bill Scott said that you can install wireless that runs off the internet, but you have to get someone to monitor it. The final item is that the Park Board is considering purchasing a refrigerator for the enclosed pavilion.

DRAINAGE BOARD – Jerry Faucett would like for Mike Wallace to hold off on tying on to the new storm drain until something is done about the drainage in the area. Bill Scott gets flooded now. Billy Walker included in his notes a recommendation to extend out the new drain line going south down the alley toward N. Adams St. then turning and going west to S. Illinois St. We would bore under the intersection of Illinois and Adams and drain to an open ditch then draining west. Billy's notes include a notation that a 2% elevation drop will work. Everett, who owns a

neighboring property does not think that the dry-well installed by Dave Fruits years ago to hold the water, goes on through to the county drain. Jerry said that the County Surveyor says that it does, but to his knowledge they have never looked at it. The Council agreed that it was a good idea for Jerry to talk to Dan Sheets. Walt asked for Jerry to let Billy know what Dan Sheets says so that Billy stays involved.

UTILITY SUPERINTENDENT – The Council reviewed the monthly report submitted by Billy Walker. Melinda Jobe asked where exactly the location the tree that needs removed was. Jerry said that it was near Cletis Crick’s house in the right-of-way at 313 E. Jefferson St. Jerry said that he asked Billy to go look at it and told Billy that he would help him take it down, that he didn’t need an estimate. Jerry said that he recalled at Billy’s interview that he said that he was a mechanic and cuts trees down. Jerry said that this tree is a simple thing, that he could score one side of the tree and push it over with a backhoe, then they could clean the mess up. He feels like town employees should be doing more of this stuff rather than farming it out. A quote in the amount of \$1,200.00 was received from John Baber to remove the tree. Jennifer Bowman said that we need to wait until Billy is here to make a decision. Melinda Jobe said that he is our Town Superintendent, and it is his job to take care of the streets and then bring it to the Council. Melinda feels that it is only fair to table the issue and bring it back up when he is here so he can share his thoughts. Jerry feels that he has had three months to think about it, and that the tree is dangerous and rotten. Jerry understands if Billy is not confident enough to do it, because it is dangerous work. Bill Scott questioned if Drew was taking over for Billy when he retires. He thinks it would be good training for him. Jerry said that he was supposed to but questioned if Drew had started his schooling. Jerry doesn’t think Drew is interested in being full time. Jerry said that in front of the old funeral home, as well as all around town, there are rotten limbs in the town right-of-way and there is a lot of liability once the town has been made aware of the issue.

STREET LIGHTING – Duke Energy found that the pole near the water tower property was not owned by them and that a new pole would have to be installed. A quote was provided with payment options. A motion was made by Melinda Jobe to approve paying the lump sum infrastructure cost of \$67.53 and the monthly cost of \$16.05. The motion was supported by Jennifer Bowman and carried with a unanimous vote. Estimates were also provided to install a light on the N/W corner of Jefferson/Main. The payment options and costs were the same as the light near the water tower. A new decorative light estimate for in front of the library was included as well. The cost to install a new decorative light was a lump sum infrastructure cost of \$1,795.37, and a monthly fee of \$24.96. Mary King said the monthly fee was much higher than the cost for each individual decorative light already installed. The Council agreed to wait and see if additional lighting was needed after the first new streetlight is installed.

TOWN MARSHAL – Brendon Bright reported that someone backed into the town police truck during a traffic stop. There doesn’t appear to be any damage to the truck, and very minor damage to the other vehicle. Brendon has completed the inventory of the LESO equipment. The next step will be to return the equipment. Clinton County is currently leading the surrounding counties in fatalities, so the officers have been encouraged to be more visible and to slow people down. Jerry Faucett asked about ticket fees and what portion comes back to the town. Brendon said that the amount is determined by state statute so it wouldn’t matter if we ran tickets through Frankfort City Court or Clinton County, we receive the same \$4.00. Jerry said that he was told by a former Town Marshal that the Clinton County Prosecutor kept all the money and would distribute it when he was ready to. Brendon explained that there is a deferral fund that he may be referring to. He said that it is one big fund, and you have to ask the Prosecutor for that money. All money received from the deferral program in Clinton County is deposited in to one fund. Police Agencies can then make a request to the Prosecutor for funds to purchase needed items.

INSURANCE POLICY RENEWAL – The Town Council was provided with the policy renewal information and quote. The Council reviewed the Statement of Values and thought the looked accurate. A motion was made by Melinda Jobe to accept the insurance renewal quote from Patriot Insurance Group in the amount of \$23,207.00. The motion was supported by Walt Minnick and carried with a unanimous vote. Mary King will check with the insurance agent to see exactly what the \$25,000.00 for leased equipment covers and if it is necessary to keep it.

CLERK-TREASURER - Fund, Revenue, & Appropriation Reports for July 31, 2021, Billing Adjustment Register for month ending July 31, 2021, Current Register of Claims, Statement of Reconciled Accounts for month ending June 30, 2021 & July 31, 2021, given to the Town Council for review prior to the meeting. There were no questions regarding the reports. The Register of Claims and Billing Adjustment Register was signed by all Council Members. The Monthly Statement of Reconciled Accounts for June 30, 2021 & July 31, 2021 were signed by Walt Minnick.

Seeing no other business to be brought before the Town Council, the meeting was adjourned at 8:51 p.m.

Walt Minnick