

The Regular Meeting of the Kirklin Town Council was held on Monday, April 15, 2024, at 7:00 p.m. at Kirklin Town Hall.

The meeting was opened by Tara Walker, Clerk-Treasurer. On the call of the roll, the following Town Council Members were present: Brent Stetler, Jerry Faucett, Walt Minnick, Melinda Jobe and Craig Hudzinski.

Also present were: Billy Walker, Brendon Bright, Kevin Myers, Amy Miller, Katy Smith, Tonia Asher, Jay Hawley, Valerie Smith, Dan Sikes, Jay Moore, and Jim Phipps.

The Pledge of Allegiance and a prayer were led by Melinda Jobe.

**MINUTES** – The Minutes from the Town Council Meeting held on March 11, 2024 were approved as written.

**GRANT MODIFICATION HEARING** – The hearing for a modification of the \$700,000.00 wastewater grant awarded to the Town of Kirklin on August 31, 2023 by the Indiana Office of Community and Rural Affairs (OCRA) was opened. The grant was awarded to the Town for the purpose of improvements to the wastewater treatment plant and the collection system to minimize the issue of inflow and infiltration (I & I). The Indiana Department of Environmental Management (IDEM) is requiring the Town to do any work necessary to minimize our I & I issue to avoid a sewer ban being imposed. The purpose of the hearing was to provide citizens with an opportunity to express their views on the federally assisted project. If approved by OCRA, the modification request will not change the grant amount but would allow the Town to change the scope of work to a smaller project than originally planned. The cost of the original project that was recommended by the Town's engineers came in higher than anticipated at approximately \$5.3 million and included more work done at the wastewater treatment plant. The rate increase that would be associated with the larger project would be high and town council is trying to minimize the impact imposed on our citizens by doing a smaller project concentrated on just the collection system. To modify the grant down to an approximately \$1.5 million project, OCRA is requiring the Town to resubmit our application with a new narrative that will be re-scored based on the scaled-down project. Should the Town be approved for the grant modification, it is the Town's hope that the smaller project, along with the work being done by residents who received letters from Jay Moore requiring them to fix the issues located on their property as identified by smoke testing, will eliminate enough of the I & I so that a larger project will not be needed. This would allow the Town to use the \$700,000 grant towards the project and only need to get a loan for approximately \$800,000.00 for the remaining cost instead of approximately \$4.6 million if we did the larger project. Clerk-Treasurer Tara Walker stated that our residents cannot afford the increase that the council would have to raise them to for the larger project as the minimum sewer rate based on 2000 gallons is already at \$41.40. She is concerned about the rate increase if OCRA does not allow us to keep the entire \$700,000.00 grant as well. Melinda Jobe is concerned about IDEM being satisfied with what we are doing. Billy Walker stated that he has received a good response from residents who have already fixed, or in the process of, the issues on their property. He is still waiting to hear from about 20 more residents. Billy stated that the \$1.5 million project should eliminate the majority of the issues in the collection system such as leaky manholes, storm drains illegally connected to the wastewater system, etc. and that he is hoping that there is enough of a significant decrease in I & I that the larger project won't be needed in order to satisfy IDEM's requirements of the town. Katy Smith from Commonwealth Engineering stated that they will be submitting CCTV photos to Amy Miller to submit along with the modification request showing OCRA the defects in the storm water drains. Jerry Faucett asked how many deliberate illegal connections have been found since years ago it was more acceptable for storm drains to be connected to the sewer system. Billy Walker stated there are a few structures illegally hooked to the wastewater system as well as a few downspouts downtown and some blatantly open cleanouts but that many resident issues have been very minor such as just needing a cleanout cap installed. He appreciates their cooperation as the Town tries to minimize our I & I to meet IDEM's requirements. He stated that IDEM is needing to see a 60-80% reduction in I & I to be satisfied and that so far there has maybe been a 5-10% decrease

from the work already done by residents, based on flow at the sewer plant. Resident Jim Phipps asked what I & I is and Billy explained it to him. Katy stated that Commonwealth Engineering is continuing to work on design plans but has no major update at this time. Seeing no further questions, the public hearing was closed at 7:35pm.

**KEVIN MYERS** – Kevin Myers was in attendance to introduce himself as a Clinton County Commissioner candidate in District 2 in the upcoming May elections. He stated that he was the Clinton County Highway Department Superintendent for over 20 years and worked for 16 different commissioners over that time. He believes that better communication with taxpayers is important. Billy Walker asked Kevin where he stands on supporting the incorporated towns in the county since we have a voice and a vote and need more representation in the county than just what is around the county seat. Kevin stated that he would represent the entire county and that small town voices would be just as important to him. He believes teamwork would be needed between the county and smaller towns and that he would be willing to attend town council meetings if that is what would be wanted.

**TOWNWIDE CLEANUP** – Tara Walker stated that she has contacted Smith Trash Service to have the townwide cleanup day on June 8, 2024. The cost would be \$1800.00 for 10 tons and \$60 per ton thereafter. They will again be picking up curbside but will only go by each house one time so it is important that residents have their stuff out by 7:00am. It is for residents only and there is to be no out-of-town trash brought in. Jerry Faucett made a motion to approve the Smith Trash Service's quote of \$1800.00 for 10 tons plus \$60 per ton thereafter. Brent Stetler supported the motion and it carried with a unanimous vote. Tara will put flyers out at the bank and post office as well as post it on the town website and Facebook page that will state items that are not included to be picked up. Tara also informed the council that their contract ends this year and we will need to put it back out for bid this fall. She said that it is rare to get a complaint about Smith Trash Service.

**KIRK'S CROSSING FESTIVAL** – Tonia Asher was in attendance to provide the council with a schedule and to give a quick update. They will not have the water ball competition this year but have added a few new items like a cornhole tournament and have more for kids this year such as inflatables. Tara Walker stated that they did a great job last year and the hot air balloon was enjoyed by many. Tonia replied to Walt Minnick when asked that their next meeting is April 24, 2024 at her house at 6:00pm. She also provided the Clerk-Treasurer with an updated Kirk's Crossing Committee volunteer list for the town's insurance purposes.

**FOOD TRUCKS** - Tara Walker asked Jay Moore if all food trucks will need to be permitted the same as Brandon's Burgers recently was required to be. Melinda Jobe does not believe our current peddler permit is applicable to food trucks and that we should have a separate townwide ordinance. Jay believes our peddler permit does cover food trucks but that an ordinance would be better with two classifications covering regular town food trucks with an annual permit fee and one that would have language regarding special events with a one-time fee covering the event only that has been sanctioned by the town council. This would also apply to food trucks brought in by Kirklin Main Street. Not-for-profits would be treated differently. Melinda Jobe stated that she feels it should just be fair for everyone. After further brief discussion it was decided by the council to have Jay work on a food truck ordinance for the Town.

**COMMONWEALTH ENGINEERING INVOICE** – Tara Walker reported that she received an invoice from Commonwealth Engineering in the amount of \$17,250.00. The council received copies of the invoice in their packets prior to the meeting. The invoice will be paid from the Bond Anticipation Note (BAN) that Steve Brock is working on but the town has not received it yet. Melinda Jobe made a motion to table the approval of Commonwealth Engineer's invoice #58993 in the amount of \$17,250.00. Walt Minnick supported the motion and it passed with a unanimous vote. Tara stated that she will notify Darren Wells that we have not received the BAN yet as he knows it was to pay for their services.

**PROHIBITED PARKING** – The council was provided with a copy of Ordinance #2024-4-1 prior to the meeting. The reason behind the ordinance is that at times vehicles are parked on both the north and south sides of W. Madison St. and it can be difficult to drive between them. After a brief discussion, it was determined that parking shall not be allowed on the south side of W. Madison St. from the alley one block west of US 421 to Perry St. between the hours of 8:00am and 6:00pm and that signage prohibiting as such shall be erected. Brent Stetler made a motion to approve Ordinance #2024-4-1 on the first reading by title only: *“An Ordinance Prohibiting Parking During Certain Hours in Specified Areas and Direction the Erection of Signage Specifying the Prohibited Times”*. The motion was supported by Jerry Faucett and it passed with a unanimous vote. Brent Stetler made a motion to move to suspend the rules for the second reading to read Ordinance #2024-4-1 by title only in one meeting. The motion was supported by Walt Minnick and it passed with a unanimous vote. Brent Stetler made a motion to approve Ordinance #2024-4-1 on the second reading by title only. The motion was seconded by Walt Minnick and it passed with a unanimous vote.

**ORDINANCE VIOLATIONS BUREAU** – The council was provided with a copy of Ordinance #2024-4-2 prior to the meeting. This ordinance would establish a way for our residents to pay for ordinance violations in the Clerk-Treasurer’s office instead of going through the county superior court. If an ordinance violation is not paid in the Clerk-Treasurer’s office within the time specified, it would then be filed through the Frankfort City Court for adjudication by our attorney or town marshal. Brent Stetler made a motion to approve Ordinance #2024-4-2 on the first reading by title only: *“An Ordinance of the Town Council of the Town of Kirklin, Indiana, Amending the Kirklin Town Code by the Addition of Chapter 36 Establishing an Ordinance Violations Bureau”*. The motion was supported by Walt Minnick and it passed with a unanimous vote. Brent Stetler made a motion to move to suspend the rules for second reading to read Ordinance #2024-4-2 by title only in one meeting. The motion was supported by Walt Minnick and it passed by a unanimous vote. Brent Stetler made a motion to approve Ordinance #2024-4-2 on the second reading by title only. The motion was supported by Walt Minnick and it passed by a unanimous vote. **RESOLUTION #2024-4-3** – Brent Stetler made a motion to approve Resolution #2024-4-3 *“A Resolution Approving Interlocal Agreement Concerning Frankfort City Court”*. The motion was supported by Walt Minnick and it passed with a unanimous vote.

**DUKE ENERGY LED CONTRACT** – Tara Walker provided the council with a copy of the Duke Energy contract prior to the meeting regarding the replacement of the current streetlights with LED’s. Tara stated that the contract is for 10 years and that white LED streetlights will be brighter than what we currently have, are supposed to last longer and will save the Town a little on our streetlight bill each month. There were no questions from the council.

**PARK BOARD** – Jay Hawley was in attendance and reported that the pickleball nets are back up. He stated that he has noticed the park bathroom doors standing open and asked anyone that sees them open to please stop and close them as they self-lock but do not self-close.

**DRAINAGE ISSUES** – There were no new issues to report at this time.

**UTILITY SUPERINTENDENT** – Billy Walker provided the Town Council with a written report prior to the meeting. He reported that the Lead Service Line Inventory is required to be completed by October 1<sup>st</sup> by the EPA and IDEM. The purpose of it is to eliminate all lead service lines and fittings in the water system by 2035. The LSL requires a lot of time gathering the information needed and paperwork in order to submit what is required. WTH Technologies submitted a quote for \$3,500.00 that would include public notification to residents, compiling the LSL Inventory into an IDEM approved spreadsheet and the final submittal to the EPA and IDEM. He stated they have worked with over 40 water systems in the state and charge half the cost of what Commonwealth Engineering charges for it. Melinda Jobe made a motion to approve the quote from WTH Technologies in the amount of \$3,500.00. The motion was supported by Walt Minnick and it passed with a unanimous vote. Walt

asked Billy what the state is going to do about the storm drain issue on Main St. Billy stated that he has tried to get a couple of contractors in to fix it but that to do it the correct way there needs to be a structure put in because there are two lines that cross, one through the other one, and over time it rotted out, washed away and made a sinkhole. He stated that the contractors he's spoken to feel it's a little more than they want to handle and they do not want to deal with the state since they have to have traffic control employees. Billy stated that when he gets the time and weather allows, he will cut a larger section out, put some rock in it to hold it in place and pour concrete and then asphalt on top of that. Billy stated he will have to get a permit from INDOT to do this, but that it will not cost the town anything for it.

**POLICE DEPARTMENT** – Brendon Bright reported that he will be doing some training on May 1<sup>st</sup> for the new body and car cameras. Jerry Faucett asked Brendon to get in touch with Ty Brown of the grain elevator regarding the smell coming from the concrete structure on Washington St. He does not feel that the residents living nearby should have to breathe in the terrible odor emanating from it.

**CLERK-TREASURER** – Tara Walker provided the following reports to the Town Council prior to the meeting for month ending March 31, 2024: Revenue, Appropriations, Payroll Allowance Docket, Adjustment Register, the Accounts Payable Register and Fund with Monthly Bank Statement of Reconciled Accounts. There were no questions concerning the reports. The Town Council signed the Payroll Allowance Docket, the Adjustment Register, and the Accounts Payable Register. Melinda Jobe reviewed and signed the bank statements as well as the Monthly Statement of Reconciled Accounts. Tara presented the council with additional claims that arrived after the Accounts Payable Register was already closed and printed. Brent Stetler made a motion to approve the following invoices: Brendon Bright, \$40.00; Brendon Bright, \$116.87; Smith Trash Service, \$3040.00; and, Cardinal Copier Solutions, \$66.79. The motion was supported by Jerry Faucett and it passed with a unanimous vote. **LEAK ADJUSTMENTS** – Two leak adjustments were presented. Jerry Faucett made a motion to approve the following adjustments: Jacob Peraino, \$938.42 and Landis Bradfield, \$36.27. The motion was supported by Brent Stetler and it passed with a unanimous vote. **MISC** – Tara Walker informed the council that the carpets were cleaned by Five Star Carpet Cleaning and the bathrooms, kitchen, storage room and community center floors cleaned and waxed by J & T Flooring. She feels that both did a good job. Tara also informed the council that the State Board of Accounts has been conducting an audit on the years 2022 and 2023. SBOA hopes to be done by the end of the month. Tara said that Karla Bucheli, the new utility clerk, started working on April 1 and is doing very well.

**JERRY FAUCETT** – Jerry stated that the residents at 306 E. Madison St. have been working on putting their new shed by the alley and wondered if they have their permit to do so. Melinda Jobe will contact Kat Bell to inquire.

**WALT MINNICK** – Walt wondered about what is happening with the old church on E. Pike St. Melinda Jobe stated that they have done some work on it.

**MELINDA JOBE – Landscaping** - Melinda Jobe presented a quote from Platinum Landscapes to remove and replace the landscaping outside of town hall for \$4,870.00. Billy Walker stated that he and Drew can remove the existing shrubs and other plants, including the removal of the tree in front of the marshal's window, in order to save the town \$1,225.00 off the quote. After a brief quote, Melinda Jobe made a motion to approve Platinum Landscapes to install the landscaping in front of town hall for \$3,645.00. This would include all labor and materials to cultivate, reshape and prepare the beds for installation of new plant material, which would entail an estimated 50 new low maintenance shrubs and perennials. The motion was supported by Brent Stetler and it passed with a unanimous vote. **Banners** – Melinda inquired about getting more banners downtown. Billy stated that he would like to see some American flag banners on the light poles. He stated if we use banners instead of flags we can use the same hardware for other seasons all throughout the year. Melinda asked Billy to see if he can find some and bring to the next meeting. Billy stated they could also be used for military hero banners. **Maps**

– Melinda stated that she has been scanning town maps onto flash drives and Tara is putting them in the vault in case there is a fire so that we would still have copies. **Downtown Flowers** – Melinda and Shelly from the Antique Cellar will be volunteering to do the work to put plants in bump outs downtown where plants did not come back this year because they were either annuals or died. Melinda stated that she will be getting bids and bringing them to the next council meeting.

Seeing no further business to come before the Town Council, the meeting was adjourned at 9:35 p.m.

A handwritten signature in black ink, appearing to read 'Melinda Jobe', written over a horizontal line.

Melinda Jobe, Town Council President