

The Regular Meeting of the Kirklin Town Council was held on Monday, February 12, 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, Darren Wells, Bill Brock, Kat Bell, Bob Thorley, and Jay Moore.

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

MINUTES – The Minutes from the Town Council Meeting held on January 8, 2024 were approved as written.

ADDITIONAL APPROPRIATION PUBLIC HEARING – Melinda Jobe opened the Public Hearing for an Additional Appropriation in the amount of \$30,105.06 for ARP Coronavirus Fiscal Recovery Grant Fund #2406 and read the proposed Additional Appropriation Resolution 2024-1-1 aloud. Tara Walker explained that the previous Clerk-Treasurer expected our ARP money would be spent by year-end so it was not included in the budget for 2024. Seeing no questions or concerns, a motion was made by Brent Stetler to approve Resolution 2024-1-1. The motion was supported by Jerry Faucett and it carried with a unanimous vote. The Hearing portion of the meeting was closed.

AREA PLAN COMMISSION – Kat Bell from the APC provided the council with a copy of LUPAKI #02-24-373 which states that the Area Plan Commission submits a favorable recommendation for the adoption of an ordinance to amend the Unified Development Ordinance of Clinton County. The amendment was proposed by the Kirklin Youth Center to rezone lots numbered 41 and 42 in Stower's Addition to the Town of Kirklin from R-3, Medium Density Residential Zoning District to B-3, Roadside Business Zoning District. She stated that the council would need to give the final decision on it. After a brief discussion, Brent Stetler made a motion to waive the reading of the entire Ordinance #2024-2-2 and to read by title only. The motion was supported by Jerry Faucett and it carried with a unanimous vote. Brent Stetler made a motion to approve Ordinance #2024-2-2 amending the Unified Development Ordinance of Clinton County, Indiana and the Town of Kirklin to rezone Stower's Addition Lots forty-one (41) and forty-two (42) from R-3, General Medium Density Residential Zoning District to B-3, Roadside Business Zoning District. The motion was supported by Jerry Faucett and it passed with a unanimous vote.

WASTEWATER PROJECT – COMMONWEALTH ENGINEERING AMENDMENT #4 – Darren Wells was in attendance to explain that Amendment #4 that was provided for council review at the January 8, 2024 council meeting is for the design, bidding and construction phase of the smaller Sewer Rehabilitation Project. He stated that our Sewer Bond Anticipation Notes will pay for the design and bidding phase only. He informed the council that while the construction engineering phase is embedded in the amendment, they will not be starting on that phase until anticipated SRF Pool funding is secured in the fall. Brent asked if that means that the construction phase may not happen until next year. Darren responded it's possible that it could be awarded yet this year but that the physical construction activities would likely not start until early next year. Tara Walker stated that we aren't guaranteed to even get funding from the SRF Pool program and may have to get financing from the open market but that we do need to do something. Darren stated that while there are no guarantees, he believes it's likely we will get SRF Pool funding but that the interest rate will be higher than the traditional SRF program. Jay Moore stated that our interest rate will largely depend on what the Fed does regarding cutting rates between now and then. Darren stated we need to do something so that we don't lose our \$700,000 OCRA Grant. Jay stated that our legal fees will ultimately be determined by how many of the residents cooperate in fixing their issues that don't have to be taken to court. Tara Walker asked if there are any grants available to residents based on income. Billy stated that the residents who will be receiving a letter from Jay will also receive financial aid information with it. Brent Stetler made a motion to approve Commonwealth Engineering Amendment #4 to the Owner-Engineer

Agreement in the amount of \$285,000.00 for the design, bidding and construction phase of the smaller Sewer Rehabilitation Project. The motion was supported by Walt Minnick and it carried with a unanimous vote. **IDEM INFLOW & INFILTRATION** – Billy Walker asked Darren Wells if we could get a detailed letter from Commonwealth Engineering stating where we are in the process of eliminating our I & I issue such as what has already been done, what we are in the process of doing now, and what is still planned, to go along with our IDEM response letter. Our IDEM inspector has requested this information to keep them informed of our timeline. Darren responded that they will get that to Billy. **INVOICE #58441** – A motion was made by Brent Stetler to approve payment of Invoice #58441 to Commonwealth Engineering in the amount of \$2,500.00 for the Bidding – Sanitary Sewer CCTV. The motion was supported by Jerry Faucett and it carried with a unanimous vote. Tara Walker noted that this was the final payment on Commonwealth Engineering’s Sanitary Sewer CCTV Bidding costs.

ORDINANCE 2024-2-1 – The council was provided a copy of Ordinance #2024-2-1 prior to the meeting. Melinda Jobe made a motion to read Ordinance #2024-2-1 on title only: “An ordinance authorizing the acquisition, construction and installation of certain improvements to the sewage works system of the Town of Kirklin, Indiana, the issuance of revenue bonds to provide for the cost thereof, the collection, segregation and distribution of the revenues of such system, the safeguarding of the interests of the owners of such revenue bonds and other matters connected therewith, including the issuance of notes in anticipation of such bonds, and repealing ordinances inconsistent therewith”. The motion was supported by Walt Minnick and it passed with a unanimous vote. A motion was made by Melinda Jobe to consider the approval of Ordinance #2024-2-1 in one meeting. The motion was supported by Walt Minnick and it passed with a unanimous vote. Melinda Jobe made a motion to approve Ordinance #2024-2-1 on 1st and 2nd reading. The motion was supported by Walt Minnick and it passed with a unanimous vote. **BOND ANTICIPATION NOTES (BAN)** – A motion was made to approve the BAN Summary Sheet that Steve Brock of Therber, Brock & Associates provided to the council prior to the meeting and to have him issue a BAN in the amount of \$450,000.00. The motion was supported by Brent Stetler and it carried with a unanimous vote. **FLUID WASTE SERVICES** – A motion was made by Brent Stetler to approve Fluid Waste Invoices: Invoice #62002 in the amount of \$59,894.58; Invoice #62027 in the amount of \$17,992.98; and Invoice #62051 in the amount of \$6,919.63. The motion was supported by Jerry Faucett and it carried with a unanimous vote.

WATER LOSS AUDIT – Darren Wells informed the council that every two years we are required to have a validated water loss audit. Commonwealth Engineering did our last audit in 2022 and it is due again by August 1, 2024. The cost for the audit and validation is \$5,000.00. The cost for just the validation is \$3,000.00 if we do the water loss audit ourselves. Billy reported that Indiana American Water offers workshops but that we cannot validate them ourselves. Billy would like to get quotes from other companies before we commit to Commonwealth Engineering.

SHARON KLINGE 50/50 SIDEWALK APPLICATION – There were two bids received for the proposed sidewalk 50/50 project for the Klinge’s and they are: Metzinger Construction in the amount of \$3,600.00 and Klinge Brothers Construction in the amount of \$2,940.00. After a brief discussion, Melinda Jobe made a motion to approve Klinge Brothers Construction bid in the amount of \$2,940.00. The motion was supported by Walt Minnick and it carried with a unanimous vote.

PARK BOARD – There were no park board members in attendance. Melinda Jobe stated that it is her understanding that the park board wants to put in a walking trail at the park. She questioned where their 5-year plan is that the park board previously wanted to have before anything was done at the park. Billy reported that he was informed by Kim Deck that they want to get the walking path project started sometime in March. Billy also reported that he was told that the brown shed and the concession stand near the ball fields are supposed to be removed this month. Walt Minnick stated that he has been disappointed that there has been no participation

from the park board in the past few council meetings. Melinda Jobe said that Jay Hawley has come to a couple of times but that is all.

DRAINAGE ISSUES – There were no new storm drain issues for the Town of Kirklin to report at this time.

UTILITY SUPERINTENDENT – Billy Walker provided the Town Council with a written report. Melinda Jobe thanked Billy for making the 15 new picnic tables for the park.

POLICE DEPARTMENT – Brendon Bright reported that he will be on duty during the solar eclipse on April 8. He doesn't anticipate any problems as he believes it likely people may pull over along the side of the street to watch the eclipse and then move on. Billy Walker inquired about getting the south side of W Madison St designated a no parking zone between alley behind the downtown buildings west to Perry St due to the fact that when vehicles are parked on both sides, it is difficult to get the town trucks between them where the road narrows. It is the 200 and 300 blocks of W Madison St. Melinda Jobe stated that the houses on that side have driveways to use. Jay stated that it will require an ordinance and signage.

CLERK-TREASURER – The following reports were provided to the Town Council prior to the meeting for date ending January 31, 2024: Revenue, Appropriations, Payroll Allowance Docket and Fund with Monthly Bank Statement of Reconciled Accounts. The Register of Claims through February 12, 2024 was also presented. There were no adjustments for the month of January. There were no questions concerning the reports. The Town Council signed the Payroll Allowance Docket and the Register of Claims. Melinda Jobe reviewed the bank statements and signed the Monthly Statement of Reconciled Accounts. Tara Walker noted to the council that a claim on the register dated July 6, 2023 from Environmental Labs was due to their error on their part in not sending it until January. She also reported that she will be hiring a Utility Clerk again .

PENALTY ADJUSTMENT REQUEST – Virginia Stowers submitted a letter asking the council to remove her late penalty due to the post office not picking up or delivering her utilities payment on time. After a discussion, the council declined. **LEAK ADJUSTMENTS** – Two leak adjustments were presented: Rhonda Houser for \$171.43 and Raymond Harvey for \$168.99. Tara Walker informed the council that Raymond Harvey's leak will likely show on March's bill as well due to the timing of their leak. Jerry Faucett made a motion to approve Rhonda Houser's leak for \$171.43 and Raymond Harvey's leak for \$168.99 with approval to adjust Mr. Harvey's leak next month if it also shows up on his March bill. The motion was supported by Brent Stetler and it carried with a unanimous vote.

PIT BULLS – Jerry Faucett reported that he keeps getting calls about pit bulls. Brendon stated that it is a gray area as to what someone sees as far as if a dog is a pit bull or mixed with pit and how much of a mix it is. He stated that we are one of the few municipalities that ban specific breeds and that it is difficult to enforce. Jay Moore is going to work on the ordinance to possibly take out specific breeds and instead enforce a vicious dog ordinance.

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

Melinda Jobe, Town Council President