

The Regular Meeting of the Kirklin Town Council was held on Monday, January 8, 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: Steve Brock, Billy Walker, Brendon Bright, Sharon Klinge, Kat Bell, Jay Moore, Katy Smith and Tara Walker.

**ELECTION OF TOWN COUNCIL PRESIDENT & VICE PRESIDENT** – A motion was made by Brent Stetler to retain Melinda Jobe as Town Council President and himself as Town Council Vice President. The motion was supported by Jerry Faucett and carried with a unanimous vote.

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

**MINUTES** – The Minutes from the Town Council Meeting held on December 27, 2023 were approved as written.

**PUBLIC HEARING FOR ORDINANCE 2023-12-6 AMENDING THE RATES AND CHARGES RELATED TO THE SEWAGE WORKS OF THE TOWN** – Steve Brock of Therber, Brock & Associates, LLP, who completed the rate study in November 2023, explained that the new rates are an approximate 10% increase on only the sewer portion of a customer bill and will allow the sewer utility to fund its annual budget for operation, maintenance and repair. It is intended to also allow a transfer into the sewer depreciation fund on a monthly basis. Melinda Jobe pointed out that our costs to operate the plant have increased. Steve Brock explained to the council the funding options the town can attempt to obtain to fund the sanitary sewer project. If a larger project is needed than the smaller one the town is starting with, rates will need to increase again to pay for the loan. Melinda Jobe stated that the rate increase is the result of multiple meetings and not taken lightly. Steve Brock responded that Mary King had been pushing for a rate increase for awhile and that the State Revolving Loan Fund requires two months of average operating expenses in our fund, which we do not have. Following this second reading of the ordinance by Melinda Jobe, the motion was made by Brent Stetler to adopt Ordinance 2023-12-6 Amending the Rates and Charges Related to the Sewage Works of the Town. The motion was supported by Walt Minnick and it carried by a unanimous vote. The new rates are to begin with the February 1, 2024 bills, if possible.

**WASTEWATER PROJECT** – The council was provided with a copy of Commonwealth Engineer's Amendment No. 4 increasing the amount of the original contract with them by \$285,000.00 for the Design, Bidding and Construction phase of the Sanitary Sewer Rehabilitation Project. Katy Smith asked that the council review and edit the contract if necessary to be able to give their approval by the next Town Council meeting on February 12, 2024. The first phase is for the design of the project at \$135,000.00. The town could then work towards obtaining a BAN, or Bond Anticipation Note, for the construction. Jay Moore explained that the contract addresses only what the town owns and not inflow and infiltration (I & I) issues coming from private lines, which they will be responsible for. Billy Walker explained that the engineer's design is intended to eliminate the majority of the town's part of the I & I issues and that it will help the sewer plant treat flow during wet weather events without going over design capacity. He stated that IDEM is coming down hard on I & I issues and that the project will allow the sewer plant to run in compliance during heavy rain events, help with the longevity of the plant and allow the town to have the capacity to grow. Walt Minnick asked how a resident will know if they are one that has water coming from their property contributing to the issue. Billy stated that Commonwealth Engineers conducted smoke testing and that all of the infractions that were found were written up in a description where the smoke was coming from on each property and that many of them have accompanying photos. Jay Moore expressed concern with the ambiguity of the contract regarding the wording of the Hourly Rate Not to Exceed since they expire June 30 of this year. Katy stated that she believes that once the contract is signed, they will not increase, but she will work on getting clarification. Craig Hudzinski inquired about the Study

& Report Phase which Katy explained was the Preliminary Engineering Report (PER) and Asset Management Plan (AMP) which were completed, both of which combined allowed the town to apply to the State Revolving Fund (SRF). She stated that the Bidding Phase for Sanitary Sewer CCTV portion of the contract was for bidding and obtaining the contractor investigating the existing sewers throughout town to determine where improvements need to be made. Billy Walker explained to Craig that when dealing with federal money, a PER and an AMP are required and that projects have to be engineered. Steve Brock explained that the town already has a \$700,000.00 OCRA grant and that we can attempt again to get an SRF loan which has the lowest interest rate available. Applications can be submitted April 1 and by July 1 we should know if we will be offered it. If we do not get that, we may also be able to get a loan through the SRF Pool program which has slightly higher interest rates. Craig inquired if this fix will last for the term of the loan or would we have to do something else a few years down the road. Steve explained that a larger project is needed but that without funding it is unaffordable for the town at this time so the project was scaled down to \$1.5 million in order to take advantage of the \$700,000.00 OCRA grant we have so that we only have to borrow \$800,00.00 and get as much of the I & I issues as we can until we can do the needed larger project at a later time if we can get SRF Funding, which is very competitive. Billy stated that there is a possibility that once this smaller project is done, and residents who are required to fix their issues have done so, that the larger project may not have to be done. He stated that if the residents who are required to address their issues do not do so, that it could cause us to have to do the larger project, which would raise rates again and hurt the entire town. **INVOICE** – A motion was made to approve the payment of \$5,000.00 to Commonwealth Engineers for Bidding – Sanitary Sewer CCTV. The motion was supported by Walt Minnick and it carried with a unanimous vote. **GRANT ADMINISTRATOR** – One bid was received and opened from Cornerstone Grants Management, Inc. for a total of \$60,000.00 which includes an Environmental Review, Labor Standards and General Grant Administration for the town's \$700,000.00 OCRA Grant. A motion was made by Brent Stetler for Melinda Jobe to sign the Agreement for Administrative Services with Cornerstone Grants Management, Inc. for \$60,000.00. The motion was supported by Walt Minnick and it carried with a unanimous vote.

**REQUEST FOR VARIANCE** – Sharon Klinge requested a variance on placement of a garage located behind her property at 306 E. Madison St. The previous one was located on the property line about 2 ft. from the alley but was torn down due to deterioration and would like a variance to build a new one in the same location. The current setback requirement is 5 ft. Jerry Faucett expressed concern about the utility pole near it. Billy stated that he has driven down the alley with the work truck numerous times without issue when the old garage was there. He also stated that there are sewer lines that go down the alley but are for the most part within 2 ft from the center of the alley, which should not be a problem. Jay Moore clarified that the issue would ultimately be up to the Board of Zoning Appeals but the BZA likes a recommendation from the town council to help make their decision. Kat Bell from the APC stated that one of the criteria they use to make their determination is practical difficulty; that is, if there is something preventing a homeowner from meeting the setback requirements. Walt Minnick asked Sharon if it is more important to be closer to the property line than meeting the setback. She responded that they have grandkids and did not want to take any more of the yard than they had to. Jerry Faucett made a motion to give a favorable recommendation for a variance. The motion was supported by Brent Stetler and it passed with a unanimous vote.

**50/50 MATCH SIDEWALK APPLICATION** – Sharon and Doug Klinge submitted a Sidewalk Enhancement Partnership Application for 306 E. Madison St. After a brief discussion, the issue was tabled until the February 12, 2024 council meeting to give Doug Klinge time to provide a quote from his brother's company. Billy Walker already has a quote from Metzinger Construction.

**PETITION TO REZONE 709 N. MAIN ST** – The Town of Kirklin submitted a Petition to Rezone the following parcels located at 709 N. Main St. from an R-3 Medium Density Residential Zoning District to a B-3 Roadside Business

Zoning District: 12-15-12-202.001.000-007 and 12-15-12-202-006.000-007. The purpose of the request is to be able to donate the property to The Bridge so that they can build a new youth center on the property. The property was donated to the Town of Kirklin and Jay Moore expressed concern about a restrictive covenant included in the language of the conveyance to the Town. However, he believes that the Town's request would fit within the limitations of the restrictive covenant due to it being a public purpose to benefit the general community of Kirklin. Melinda Jobe stated that Bill Brock has spoken to Bob Thorley, who was one of the donors of the property, and that he is in favor of the rezoning to build a youth center. She stated that Bill Brock would like to run electricity to the Welcome to Kirklin sign to light it up. Walt Minnick made a motion to authorize Melinda Jobe to sign the Petition to Rezone or Amend the Clinton County Unified Zoning Ordinance requesting the rezone. The motion was supported by Jerry Faucett and it carried with a unanimous vote.

**CONFLICT OF INTEREST** – Prior to taking office on January 1, 2024 as a new council member, Craig Hudzinski was previously approved to fix the storm damage to the Town Barn. The total the town will need to pay to him is not to exceed \$1,040.00 for his labor. Walt Minnick made a motion to approve Craig Hudzinski's Uniform Conflict of Interest Disclosure Statement. The motion was supported by Jerry Faucett and the vote was as follows: Walt Minnick, yes; Jerry Faucett, yes; Brent Stetler, yes; Melinda Jobe, yes; Craig Hudzinski, abstained.

**PARK BOARD** – There were no park board members in attendance.

**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. A few of the items included are: 4<sup>th</sup> quarter TTHM/HAA5 samples that were taken on 12/21/23 passed well under the limits again; hydrants were flushed in town on 12/20/23 and 12/21/23; the IDEM-required calibration of the influent and effluent meters at the sewer plant was completed on 1/3/24; the service generator will be serviced on 1/9/24; CCTV work began today, 1/8/24; two new street lights were installed on E. Pike St. and E. Monroe St.; and the south end of the parking lot at the park has been dug out and gravel installed and he is hoping to get new sidewalks there in time for Kirk's Crossing as this area will be handicapped parking. He also included that he will be contacting the county to request they relinquish Kirk St. and E. Jefferson St., from the railroad bed to town limits, from their inventory so that we can add them to ours so that we can maintain them.

**POLICE DEPARTMENT** – Brendon Bright reported that Frank Wells has resigned as a Deputy Marshal. He had nothing else to report at this time.

**CLERK-TREASURER** – The following reports were provided to the Town Council prior to the meeting for date ending December 31, 2023: Fund with Monthly Bank Statement of Reconciled Accounts, Revenue, Appropriations, Adjustment Register, and Payroll Allowance Docket. The Register of Claims through January 4, 2024 was also presented. There were no questions concerning the reports. The Town Council signed the Register of Claims, Adjustment Register, and Payroll Allowance Docket. Melinda Jobe reviewed the bank statements and signed the Monthly Statement of Reconciled Accounts. **INVOICES** – Brent Stetler made a motion to approve the following invoices that arrived after the Register of Claims closed on January 4; Environmental Laboratories in the amount of \$738.00 for TTHM/HAA5 sample tests; Cardinal Copier Solutions in the amount of \$15.00 for the freight cost only of a black cartridge; and Fiberhawk in the amount of \$135.23 for internet service. The motion was supported by Jerry Faucett and it carried with a unanimous vote. **KEYSTONE SOFTWARE TRAINING** – Melinda Jobe made a motion to approve Tara Walker to attend Keystone - Fund and Keystone - Payroll training in Daleville, IN on January 24<sup>th</sup> and 25<sup>th</sup> at a cost of \$360.00. The motion was supported by Jerry Faucett and it carried with a unanimous vote.

**DOWNTOWN BANNERS** – Melinda Jobe presented a quote given to her by Angie Mollenkopf of Kirklin Main Street asking the Town to purchase 4 double-sided 24” x 48” custom banners, brackets and screw bands for the black poles located downtown on the four corners. Melinda stated that the banner design will incorporate the town logo color scheme. Tara Walker noted that the invoice is in the name of Kirklin Main Street and that she cannot pay an invoice unless it is in the Town of Kirklin name. After a brief discussion, Melinda Jobe made a motion to approve the payment of the invoice from Mosca Design in the amount of \$708.67 for the purchase of four banners, brackets and screw bands, provided that we receive a revised invoice in the name of the Town of Kirklin. The motion was supported by Walt Minnick and it carried with a unanimous vote.

Seeing no further business to come before the Town Council, the meeting was adjourned at 9:07 p.m.

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Melinda Jobe, Town Council President