

The regular meeting of the Kirklin Town Council was held on Monday, September 12, 2022, at 7:00 p.m. at Kirklin Town Hall.

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

Also present were Brendon Bright, (Kat) Katrina Bell, Darren Wells, Steve Brock, Christine Bocock, Derek Bocock, Kirby Kepner, Charles Curry, Kendra Berry, Peggy Berry, Mitsy McAninch, Billy Walker, Tara Walker, Jay Moore, and Mary King.

2023 BUDGET HEARING – The Hearing for the proposed 2023 Budget was opened for public comments and questions. Seeing no questions or comments, the hearing was adjourned.

ORDINANCE #2022-8-1 ESTABLISHING A PURCHASE POLICY WHEN FEDERAL FUNDS ARE USED – The second reading of Ordinance #2022-8-1 was held. A motion was made by Brent Stetler to adopt Ordinance #2022-8-1 Establishing A Purchase Policy When Federal Funds Are Used. The motion was supported by Walt Minnick and carried with a unanimous vote.

REZONE REQUEST FOR 101 S. PIKE STREET APC LUPAKI #09-22-367 – The Clinton County Area Plan Commission submitted a favorable recommendation for the approval of the request to rezone 101 S. Pike Street from the current R-3, Medium Density Residential Zoning District to the B-2, Central Business Zoning District. Kat Bell from the APC noted that, although the zoning request was given a favorable recommendation, there were property owners that attended the Hearing and expressed concerns with parking, the use of alcohol, and noise. Kat explained that parking does not have to be “on site” as long as there is parking available. The Town Council could require that all ADA parking be on site and that a binding agreement for overflow parking be signed. The caterers will have to provide the license for alcohol. Christine Bocock said that the owners will be on site for all events and that all events will be held inside, and they will have control over the noise. The noise ordinance addresses noise issues and Christine anticipates all events being over by 11:00 pm. A resident at 302 E. Madison Street has experienced hearing the person working inside the building using offensive language so many times that she began counting the number of times the word was used. The residents in attendance are also not in favor of the KCC parking lot being used as the overflow parking area since people would have to walk by their house to get to the venue. After discussion, a motion was made by Brent Stetler to approve Ordinance #2022-9-1 amending the Unified Development Ordinance of Clinton County changing the zoning for 101 S. Pike Street from R-3, Medium Density Residential to B-2, Central Business Zoning District on first reading with the following conditions: 1) Parking must be sufficient to provide for the required parking under the State Design Release and does not have to be on site. 2) All events must end by 11:00 pm. The motion was supported by Walt Minnick and carried with a unanimous vote. Brent Stetler made a motion to suspend the rules for second reading. The motion was supported by Walt Minnick and carried with a unanimous vote. Brent Stetler made a motion to pass Ordinance #2022-9-1 on second reading. The motion was supported by Walt Minnick and carried with a unanimous vote.

WASTEWATER PROJECT – Darren Wells provided the Council with a progress report on the wastewater project. Darren left three (3) copies of the draft PER, which includes cost estimates. Darren asked that they be reviewed by the Town Council and Utility Superintendent. Darren said that they are still sorting through the data from the smoke testing and manhole inspection reports and developing a summary report that will be incorporated into the PER. He will have more information at the October meeting but wanted to give the Council 30 days to review the document. He explained that the SRF has a new provision that requires that an Asset Management Plan (AMP) be completed prior to applying for loan/grant funding. SRF used to require that an AMP be completed at the end of a project. The goal would be to begin the AMP in December. The next round of applications are due by April 1, 2023. A motion was made by Brent Stetler to approve paying invoice #53370 in the amount of \$4,000.00 for engineering services by Commonwealth Engineers, Inc. The motion was supported by Jerry Faucett and carried with a unanimous vote.

RATE CONSULTANT – Steve Brock with Therber & Brock attended the meeting at the request of Commonwealth to explain funding options for the wastewater project. Steve provided a cost & rate impact analysis for the Council to review. He explained that the Median Household Income (MHI) for grant funding is \$46,082.00 and Kirklin has a MHI of \$48,300.00. Steve said that they will accept income survey results and that an income survey could be completed with a Grant Administrator and the help of the Town Council. An income survey could change those results. They require 80% resident participation in the Income Survey and for 80% of those surveyed to fall below the MHI of \$46,082.00. Steve Brock noticed in our Gateway information that our water & stormwater funds were doing well, but the sewer fund indicated that we are losing money and the operating balance is too low. Steve can do a rate study that will show what the user fee needs to be without the proposed project and what it will need to be with the sewer project. A rate increase could be done in two phases. The study would need to be done by October 1st. Melinda Jobe made a motion to hire Steve Brock to complete a rate study and Amy Miller to complete an Income Survey. The motion was supported by Walt Minnick and carried with a unanimous vote.

TAP FEES – Jerry Faucett questioned what the tap fees were for connecting to town utilities. He did not think the amounts were known. Billy Walker said the current cost was known and that we have had two new homes tapped on recently. The current cost for a new water tap is \$1,430.80 which includes a \$40.00 inspection fee, and \$525.00 for sewer which includes a \$25.00 inspection fee.

STORMWATER UTILITIES – Jerry Faucett brought up a concern that he thinks may not be a town issue. He has concerns over what he believes to be a broken-down tile that runs along Hwy. 38 to the west of Kirklin. His concern is for safety and that someone might fall in the multiple sink holes in the right-of-way. He has contacted Jeremy with INDOT. Jeremy said that it was the property owner's responsibility to repair it. Jerry has also spoken with Dennis Tillman as well as Zach Light at the Surveyors Office. Jay Moore suggested that the town and the county write a joint letter and work through our State Representative. Jay will also speak with Dan Sheets about sending a joint letter and recommends that we include the photos that Jerry has.

UTILITY DEPARTMENT – Billy Walker provided the Town Council with a written report for the month of August. He reported that the storm line from near W. Madison to Adams, to S. Illinois Street has been installed. He is waiting for the road bore to complete the project. Billy requested bids from Baber's Tree Service, Dean's Tree Service, and Shepard's for tree and stump removal on Perry Street. He received a bid from Baber's in the amount of \$2,800.00, Dean's in the amount of \$1,850.00, and no bid was received from Shepard's. A motion was made by Melinda Jobe to approve having Dean's remove the tree and stump for \$1,850.00. The motion was supported by Brent Stetler and carried with a unanimous vote. Billy reported that the influent chart recorder at the Wastewater Treatment Plant has stopped working. Billy presented two options for replacing it. A Honeywell Chart Recorder DR4300 could be installed for \$3,644.00, or he can get an upgrade of the mission unit for \$1,775.00 plus a maintenance fee increase of \$220.00 per year. Billy prefers the Honeywell due to not having to pull the information up on a computer. Melinda Jobe made a motion to approve the purchase of the Honeywell chart recorder for \$3,644.00. The motion was supported by Walt Minnick and carried with a unanimous vote. Billy reported that the motherboard on the mission is out also, and the alarms are not working and needs to be replaced.

POLICE DEPARTMENT – Brendon Bright reported that Jake Myers will be out for at least a month due to an injury. Brendon said that Frank Wells had started work gave an update on the work Frank has been doing. He has obtained a quote from Bartley's Outfitters in the amount of \$2,570.00 for a retractable bed cover for the truck. A motion was made by Melinda Jobe to approve the purchase and installation of the retractable bed cover from Bartley's in the amount of \$2,570.00. the motion was supported by Walt Minnick and carried with a unanimous vote. At Brendon's request, Brent Stetler made a motion to deem the deuce and a half and two generators as surplus items to be sold on Govdeals. The motion was supported by Walt Minnick and carried with a unanimous vote. A motion was made by Melinda Jobe to purchase a 2022 Ford Interceptor from Bloomington Ford for \$39,900.00. The payments will begin with the 2023 Budget. The motion was supported by Brent Stetler and carried by a unanimous vote.

CLERK-TREASURER – Revenue & Appropriation Reports for Aug. 31, 2022, Billing Adjustment Register for month ending Aug. 31, 2022, Current Register of Claims, Payroll Allowance Docket for month ending Aug. 31, 2022, Statement of Reconciled Accounts for month ending Aug. 31, 2022, w/ Fund Report, were given to the Town Council prior to the meeting for review. The original bank statements & Statement of Reconciled Accounts were signed by the Council President. The Register of Claims, Payroll Allowance Docket (new report), and the Adjustment Register were signed by all Council Members present.

INVOICES – Mary King presented invoices that were received after the Register of Claims was prepared. After reviewing the invoices, a motion was made by Brent Stetler to approve payment of the following invoices: Henry Excavating invoice #505 in the amount of \$1,000.00 for storm drain installation, Henry Excavating invoice #506 in the amount of \$200.00 for digging up sewer line, Eco Infrastructure Solutions invoice #16327 in the amount of \$2,880.00 for jetting and vacuuming sewer lines & lift station, Mission Communications invoice #1068695 for alarm system at WWTP & WTP in the amount of \$1,042.80. The motion was supported by Walt Minnick and carried with a unanimous vote.

LEAK ADJUSTMENT – A motion was made by Brent Stetler to approve the leak adjustment request by Walt Minnick in the amount of \$57.86 for water only. The motion was supported by Jerry Faucett and carried with a unanimous vote.

SEWER TAP ISSUE – Jay Moore suggested that an Executive Session be scheduled for the Town Council to discuss a letter that he received at 3:30 p.m. on behalf of the property owner Charles Curry at 505 E. Pike Street. Jerry Faucett had questions about Mike Henry's report and asked if it was 4" of fall at Mr. Curry's property to the manhole. Billy said that was correct. Jerry questioned if it was too high in the air getting to the Curry's since there is a long way to go to get to it. Billy said that there has been a plumber that did a laser elevation and says there is proper fall from the house to the end of the tap. Charles said that the end of the tap is full of waste from a camera that Roto-Rooter ran down in it. Charles said that his concern is that where it is tied in is 4 ft., then they go over to the side of his property where it's 5 ft., then they would have to go up back to 5 ft. Charles said that (Billy) called J.W. Plumbing and had them come out, but they (Mike Henry) didn't dig up where they tied in, he dug up 20 ft. down the line where it hits 5 ft. Mr. Curry was there for that. He just has questions about the flow, and he has concerns that they could go and hook up and that it all just stays in that spot. Jerry said that he thinks with what he is hearing, Mr. Curry will have major problems if he hooks to it. Mr. Curry has had four different companies come out and they are all saying different stuff. J. W. says that it will work, but they only have 2" of play from his house to 5 ft. at the edge of his property. Billy said according to J.W. Plumbing, when he did the laser, he said that he has 1/8" per ft. fall from Mr. Curry's house to the end of the line that was put in. Charles wasn't sure if he had J.W.'s report. Jerry suggested that Mr. Curry bring something with his (contractor) letterhead on it and stating certain things. Mr. Curry said that his attorney sent the Roto-Rooter stuff. Jay said that he did not send it, Jay only received a letter. Mr. Curry said that he just wants to get tied in and make it work but doesn't want to spend a lot of money. He said that his lowest bid was \$30,000.00 and that was with a pump or gravity. His main concern is where it ties in at the 4 ft. mark and that his property isn't high enough. He has looked at the geological survey that says that the whole stretch of E. Pike Street is 918 ft. He thinks an engineer needs to look at it. He said he thinks there is a reason that when the sewer lines were installed, they didn't continue the line on. Billy Walker said that the reason the line was not continued on is because the property was outside the corporation limits in 1972 when the lines were installed. Mr. Curry said that he is not an expert and that he has different plumbers saying different stuff and that he just wants to get it resolved but is concerned that \$41,000.00 would be a lot to come up with by November 12th. Billy questioned who was going to charge him \$41,000.00. He said that estimate was from Roto-Rooter and that Mr. Bills was \$34,000.00. Billy said that he has a copy of J.W. Plumbing's estimate using schedule 40 would cost \$16,300.00 and if he used SDR35 it would cost \$13,600.00. Mr. Curry agreed that the estimate was correct. Jerry said that the cost is one thing, but if you're not certain it will work. Jerry asked how far below the ground Mr. Curry's drain comes out of his house. Mr. Curry said that it is 32" which is what the state requires. He

said that he dug it up so that different contractors could look at it and shoot the laser. He said that he was out there when Mr. Henry dug the line up but it was not where the tap is. He thinks that foot difference from 4 ft. going down to 5 ft. is not going to work. Jerry said that it should be going the other way. Billy said that if he had dug up all the way to the tap it would have shown even more fall because it is deeper than where they dug. Billy said that the line may have some debris in it, but it's on the end of a line so there isn't going to be anything in it. Mr. Curry said the concern is that the liquids would run away, but the solids would stay in the pipe is how they explained it to him. Billy said that if the sewer main is his concern, that is for the town to keep clean if it gives him any trouble. Jerry suggests putting multiple cleanouts in. Mr. Curry said that they were going to put them in every 100 ft. There would be three on his property and one at the edge. Jerry said that he should contact Chip Douglass with Douglass Sewer to laser it and tell him if it's going to work or not. Mr. Curry said that he has had three companies come out with lasers and they all say different stuff. Jerry asked if Mr. Curry has had anyone say it was favorable. Mr. Curry said that only J.W. was favorable. He said that his main concern is where it goes from 4 ft. to 5 ft. it should be 3 ft. going to 4 ft. Billy said that the tap at his property is 5 ft. deep to the bottom of the pipe. Jerry said that it goes up hill to 4 ft. Mr. Curry said that it also has a 90, and said when you do a 90 you're supposed to have more fall. Billy said that he installed two 45's and not right next to each other. He also installed a Y instead of a T for a tap. Mr. Curry said that he would have them video it so the Council can see the feed.

TRICK OR TREAT HOURS – The Town Council agreed to approve trick or treating with town merchants on October 29th from 4-6 pm and regular trick or treating hours on October 31st from 6-8 pm.

Seeing no further business to come before the Town Council, the meeting was adjourned at 8:55 pm.

Melinda Jobe