

The regular meeting of the Kirklin Town Council was held on Monday, July 12, 2021, at 7:00 PM at Kirklin Town Hall.

On the Call of the Roll, Council Members present were Jennifer Bowman, Jerry Faucett, Melinda Jobe, Walt Minnick, and Brent Stetler. Also, present were Jay Moore, Bill & Virginia Scott, Billy Walker, Brendon Bright, and Mary King.

The meeting was opened by Walt Minnick who led with the Pledge of Allegiance and a prayer.

**MINUTES** – The Minutes for meetings held on June 14, 2021, and June 28, 2021, were approved as written.

**COMMUNITY CROSSINGS GRANT APPLICATION** – Billy Walker presented a list of proposed streets that still need re-paved. He is currently waiting on estimates but is requesting that the Council approve applying for a grant to pave them. After review of the list Melinda Jobe made a motion to approve applying for a Community Crossings Grant to pave sections of W. Madison, E. Madison, N. Illinois, W. Harrison, W. Washington, N. Pike, E. Francis, E. Stowers Streets, and to appoint Walt Minnick as the signatory for the application and grant agreement. The motion was supported by Brent Stetler and carried with a unanimous vote. Billy said that if the cost estimate comes in too high, he will eliminate streets from the bottom up.

**ZONING ISSUE** – Billy Scott stated that the Area Plan Commission is trying to shut his business (Gearheadz/Hoops) down because he does not have the proper zoning for his towing business. He has operated the business since 2012 and thought he was given the zoning classification needed. He reminded the Council that when he first opened his business, the Town Council at that time, approved allowing him to provide towing services for the town. Although the details are unknown, the Council may not have realized that a towing service was not allowed to be operated with a “commercial garage” classification. Billy said that with his current zoning, all vehicles must be in and out within seven days and that is most often not possible. He also stated that he is not allowed to have a dumpster. Jay Moore, who also represents the APC, said that they can have a dumpster, it just has to be moved out of the town’s right-of-way. The letter stated ROW and both Billy and Virginia were not familiar with that term. Melinda Jobe suggested that they have the company that provides the dumpster move it out of the town right-of way. Billy Scott said that the biggest issue is not about the dumpster. What they need is to be able to operate an impound lot. He can tow vehicles, but the problem is the length of time those vehicles can be stored on his property. He has to wait for titles before he can do anything with the vehicles that people do not pick up. Currently the only place that is allowed to have impound lots are in the City of Frankfort. Jay said that based on the type of business Billy is running, he would need to be zoned to operate an auto salvage or grave yard. Jay Moore explained that you must have at least ten acres to operate a salvage yard under APC guidelines. Jay said that if the Council wanted something different than APC rules, the Town Council could adopt a separate Zoning Ordinance and administer it themselves. Billy Scott said that they have offered to put up barn siding or some sort of fence that you cannot see through and keep all vehicles behind the fence. Due to the expense, they do not want to do that unless they have assurance that they will be able to continue their current business. Jay said that to make any changes, the Council would have to come up with a zoning classification & restrictions. The Council would then request the APC consider adopting a zoning change. The APC would then give a favorable or unfavorable recommendation to the Council. Jennifer Bowman would like to meet with an APC representative (Liz) to see if they could help come up with a change that would work. Jay said that IDEM may have restrictions as well, and that would need to be checked in to. Mary King suggested that the Council contact other towns that allow impound lots to see what they are classified as and what restrictions they have in place. She also questioned if there was enough room on the lot to operate that type of business, since it was complaints about the condition of the property that brought this issue to light. Jennifer Bowman made a motion for the Council to help resolve the problem. The motion was supported by Melinda Jobe and carried with a unanimous vote. Melinda Jobe made a motion to request that the APC hold off on any action until the Town Council can investigate changing the zoning to allow an impound lot. Brent Stetler supported the motion, and it was carried with a unanimous vote. Jay said that sending a copy of the Minutes to the APC would suffice for making the request.

**STREETScape PROJECT** – Melinda Jobe asked where we are at with the punch-list items for the streetscape project. Billy Walker said they have not patched the pavement at the old gas station or in front of the potting shed. They have not repaired the drain at 114 S. Main Street. Melinda Jobe asked if anyone had addressed the splatter on the buildings from the project. Jennifer Bowman said that she still has sealant on her building and rugs inside Booker’s that have sealant on them. She was able to get it off the floor, but not her rugs. Billy said to get an estimate for damages, and he will take care of it with the punch list items. Mary King stated that even with the approval of the current Morphey invoice, we still have \$30,450.02 held in retainage that will not be paid until all the items have been taken care of. The grant needs to be closed out in August though. A motion was made by Melinda Jobe to approve paying Browning Day invoice #32335 in the amount of \$5,124.00, NCIRPC in the amount of \$58,000.00, and Morphey Construction pay App #4 in the amount of \$25,018.88. The motion was supported by Walt Minnick and carried with a unanimous vote.

**STORM WATER UTILITY BOARD** – Jerry Faucett has concerns about the drain in the alley on W. Monroe Street and the county drain it attaches to. He has pictures of water standing in the alley. Jerry said that approx. two years ago someone from Dan Sheets’ office said they would have the county drain cleaned. Neither Billy nor Jerry has contacted Dan recently. Billy Walker suggested putting in a new drain and run it down the alley. Jennifer Bowman reported having problems with her patio (Booker’s) flooding when it rains again. Mike Henry installed a drain along her property a while back, but she thinks it may be clogged with hardened lime from the alley. Billy suggested that she consider pouring a small retaining wall around her patio as a permanent solution. Mary King suggested that she check with APC to see if a permit would be needed.

**UTILITY DEPARTMENT** – Billy Walker provided a written report to the Town Council prior to the meeting and he reviewed the items with the Town Council. Billy reported that he has not received an estimate for paving the water tower lot as of yet. He suggested that the Council consider designating some alleys as one-way streets and adding them to our street inventory. We could then apply for Community Crossings Grants to pave them. **SEWER TAP ON** - Billy will get some elevations shot and pricing to see if it is possible to provide a sewer tap for the Curry’s without installing a lift station. If this option works, we will need to get an easement from the property owner to the west of the Curry’s. Mary King said that the town has, in the past, provided incentives for easement agreements, so that is always an option. An agreed upon number of sewer and or water bills can be forgiven in exchange for an easement agreement. **GATOR PURCHASE** - Billy presented a quote to purchase a new gator with a workhorse package for \$10,925.00 and a 6’ V snowplow package for \$4,749.00. A line item in the proposed 2022 Budget has been added to Riverboat Wagering section to cover the cost of a gator.

**POLICE DEPARTMENT** – Brendon Bright reported that Jake Myers would be out for approx. ten more weeks. Tommy Dillingham has started work. Brendon will be completing an inventory of the LESO equipment. The inventory has to be completed by August 15<sup>th</sup>. Brendon would like to make a request to get rid of (8) eight items before winter. He has reached out to get opinions on speed signs. He is also going to look in to applying for an IPEP grant to help cover the cost of needed equipment. Melinda Jobe has received complaints of semis parking at the Dollar General overnight and the refrigeration part is very loud. There has also been issues with the grass getting tall before it is mowed, and then blown into the street. Jerry Faucett said that he has spoken with someone at Dollar General about both of the issues.

**FIREWORKS COMPLAINTS** – Melinda Jobe said that some residents have been frustrated that people continue to set off fireworks even though we are well past the time allowed by state law. Brendon said that residents should call dispatch and they will send an officer to handle the complaint. **4<sup>TH</sup> OF JULY** - A bag of debris that was picked up out of a resident’s yard was brought to Town Hall. The resident said that it was from the fireworks that took place on July 4<sup>th</sup>. Jerry Faucett said that other neighbors in this area had debris from the same fireworks in their yard as well. It was also reported that there was damage to a vehicle caused by burning debris falling on it. Mary King reminded the Town Council that when the Council gave approval for the fireworks, they were required to have

liability insurance and to name the town as an additional insured. This insurance should cover damages if they were caused by the fireworks set off at the park. Jerry Faucett said that they did not want to file a claim. It was noted that the park was cleaned up nicely following the event.

**CLERK-TREASURER** - Fund, Revenue, & Appropriation Reports for June 30, 2021, Billing Adjustment Register for month ending June 30, 2021, and the Current Register of Claims was given to the Town Council for review prior to the meeting. There were no questions concerning the reports and the Billing Adjustment Register and Register of Claims were signed by all Council Members. **PROPOSED 2022 BUDGET** – The Council reviewed the preliminary proposed 2022 Budget. Mary King will continue to work on it.

**TRANSFER RESOLUTION #2021-7-1** – A motion was made by Brent Stetler to approve Transfer Resolution #2021-7-1 transferring .18 from CCI to the General fund, due to the CCI fund being dormant. The motion was supported by Jerry Faucett and carried with a unanimous vote.

**ARPA FUNDS** – The Council discussed developing a detailed plan for the ARPA funds that the town will receive. The approved uses include helping non-profit organizations and businesses in our community (which would require developing a list of criteria), giving extra money to employees, or for water, sewer, and stormwater infrastructure projects. Mary King said that we can go ahead and apply for the funds but are required to have a detailed plan before we spend the money. She also explained that the funds will be disbursed in two tranches. We can apply for one now and the next, one year after receiving the first. We have until December 31, 2024, to spend both distributions. We can develop an initial plan, but that plan is allowed to be changed at any time. Hopefully more SWIF money will become available when the water line replacement project is ready to proceed as this round closes July 15th. SWIF funds are allowed to be used as match money for the ARPA distributions. Billy will work with Darren from GRW Engineering on specifications for the project and an estimated cost. Most importantly, we need to investigate where the I & I problems are in the sanitary sewer system by using ARPA funds to smoke test lines and get a plan together to reduce I & I. Jennifer Bowman would like to see the money go towards water and sewer projects so that future water and sewer rate increases can be reduced.

**TREE REMOVAL** – Jerry Faucett reported that there is a tree on E. Jefferson Street that may need to come down soon.

**MURAL** – Jennifer Bowman would like to have a mural on the side of Booker's. She has been told that other towns have received funds from the Clinton County Community Foundation to have murals painted on theirs. She had thoughts of having a mixture of things. Some ideas are the water tower and something to do with the old Kirklin School included. She will contact the Community Foundation to see if the grants were given to individual business owners or if the town would need to apply for it.

**SIDEWALK REPLACEMENT** – Jay Moore has researched the process to add sidewalk replacement to our Capital Development Plan so that we can use CEDIT funds for sidewalk replacement. We need the estimated cost of the project and the estimated length of time it will take to complete. Mary King has emailed Metzinger Construction to see about getting an estimated cost per linear ft. Once we have a project estimate, we can amend the current ordinance.

**MULCH** – Melinda Jobe presented a proposal from Phillips Greenhouse to put mulch in the bump-outs. Phillips has donated some of the mulch, but more is needed. The proposal is to provide weed removal and to mulch eight (8) bump-outs in the amount of \$826.00. A motion was made by Melinda Jobe to approve the proposal. The motion was supported by Jennifer Bowman, and carried with a unanimous vote.

**OCCURENCE REPORT** – Melinda Jobe made a motion to approve using the proposed Occurrence Report for the Town of Kirklin. The motion was supported by Jennifer Bowman and carried with a unanimous vote.

**WELCOME TO KIRKLIN SIGN** – Walt Minnick asked if there was any new information concerning the signs to be placed at the north and south entrances to Kirclin. Melinda Jobe said that Lee Thomas is making the sign, but that she thought, for now, he is only making one to go at the south end of town. She will check with Dan Mann to be sure.

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

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