

The regular meeting of the Kirklin Town Council was held on Monday, May 10, 2021 at 7:00pm at Kirklin Town Hall.

Town Council Members present were: Brent Stetler, Jerry Faucett, Walt Minnick and Melinda Jobe.

Also present were: Jay Moore, Billy Walker, Brendon Bright, Henry King III, Amber Hendrickson, Steve Reynolds, Stephanie Blackwell, Jason Amich, Kristen Amich, Mary King and Tara Walker.

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

MINUTES – The Minutes for the council meeting held on April 12, 2021 were approved as written.

AMBER HENDRICKSON/HENRY KING III FIREWORKS – Amber and Henry were in attendance for the council to consider approving a permit for them to hold a rain date for consumer fireworks at the Town Park on July 9, 2021. Amber and Henry provided a copy of their Certificate of Insurance (COI) naming the Town of Kirklin as an additional insured for the current planned date of July 4, 2021. The policy will be in effect for one day, ending at midnight. Amber stated that fireworks will begin as soon as it gets dark and will last approximately 30 – 45 minutes. In the event of rain, Amber requested that they be allowed to change it to the rain date of July 9, 2021 and that they would provide the Town of Kirklin an updated Certificate of Insurance with the correct date should that occur. After reviewing our ordinance on fireworks, Jay concluded that the council has the power to grant a rain date. Melinda Jobe made a motion that the council approve a rain date of July 9, 2021 for Amber Hendrickson and Henry King III to set off consumer fireworks at the Town Park. The motion was supported by Brent Stetler and carried by a unanimous vote.

MAIN STREET UPDATE – Stephanie Blackwell gave an overview of events that have been held on Main Street. She began by presenting Kirklin's police officers with gift baskets in recognition of National Police Week. She stated that in March Main Street had a St. Patrick's Day event and there was 100% merchant participation, an uptick in sales and in traffic, including first-time visitors. In April, they had a 1000-egg Easter egg hunt inside the merchant stores, which was also a success. They were able to get it added to the calendar of events at www.aroundindy.com as well as www.indyschild.com. She is in the process of trying to work with WIBC and Emmis Communications to see if she can possibly get some free marketing for some of our events to incentivize those living outside of our county to come in. In May, Main Street had the first flea market of the year. She thanked Melinda Jobe for setting up the Paypal account to make it easier for vendors to register. Popcorn and 200 pulled pork sandwiches sold out and the Bridge sold out of breakfast. She went to each vendor to try to gather as many phone numbers and e-mails from vendors as possible to be able to reach out easily to them to keep them informed of upcoming events. She then stated that she is going to reach out to Melinda Jobe to initiate the possibility of involving the kids of Kirklin in community service projects.

CHARLES AND TANESSA CURRY SEWER CONNECTION UPDATE – Billy Walker presented a couple of ideas that could possibly be done in regard to getting the sewer connection to 505 E. Pike St. He stated that the property is within 300 ft. of two existing sewer lines. There is a sewer line behind the houses on the south side of E. Pike St. and he is going to shoot some elevations to see if it is a possibility to extend the sewer line that runs behind Donna Weber's property, located at 421 E. Pike St., over to the 505 E. Pike St. He stated that the Curry's are approximately 110' from the sewer line behind Donna Weber's. If this were to be done, the town would have to acquire an easement to cross the properties, which would include Deborah Keller's property at 425 E. Pike St. He also stated that he will look into the possibility, and the cost, to put a town-maintained lift station next to the highway in case of growth/annexation in the future. He is still gathering information and will present to the council as he can get it. Nothing was discussed further about de-annexation at this time because Walt Minnick noted that if one of these options could be done, there wouldn't be a problem.

CHICKENS IN CORPORATION LIMITS – A discussion was held regarding chickens within the corporation limits. Jay Moore presented two options for the council to consider. The first one would be a zoning ordinance amendment to allow and limit the number of chickens, rabbits and ducks that could be kept by any resident, provided they conform with all of the required criteria, without going through the Area Plan Commission or Zoning Commission. This option would make the residents' rights to having these animals inside the corporation limit automatic provided all of the required criteria are met. If the resident did not meet setback rules, they can ask for a variance. The second option presented was the suggestion of making it a special exception by the Area Board of Zoning Appeals of Clinton County which would require the residents to go through one more step and would require a fee. After much discussion, Melinda Jobe made a motion to amend the ordinance to request the Area Plan Commission to draft a proposed ordinance addressing confined feeding, pasturing/grazing of livestock chickens, rabbits and ducks which provides for up to 6 chickens or 6 rabbits in the R3 district as a permitted use. No roosters shall be permitted and the animals must be kept in a secure coop or cage. Coops or cages must be kept 10' from property lines and be cleaned regularly. Coops and cages shall not be placed in between any structure and the road right-of-way. Up to 2

ducks shall be permitted only upon the granting of a special exception and subject to the above setbacks, coop/cage and cleanliness requirements. No more than a total of 6 chickens, rabbits and ducks shall be allowed without a variance. Livestock not specifically listed in this section are prohibited. Outdoor butchering of livestock is also prohibited. The motion was supported by Walt Minnick and it carried by a unanimous vote. Jay Moore is taking the proposed changes back to the Area Plan Commission.

STREETSCAPE PROJECT – Billy gave an update to the progress of the paving project downtown. He stated there is probably a week left of pouring concrete and was told the paver company does not want to begin until the concrete is 90% in because they want enough room when they come in. Duke Energy stated to him that they will be here May 20th and May 21st and their goal is to remove the poles at the intersection, install the new light poles and power them up. Trees are scheduled to be installed on June 1st and they will be 10 – 15' each. According to information he has been given, the entire project should be complete by the first or second week of June, weather permitting. Melinda Jobe made a motion to accept and approve the Browning Day invoice in the amount of \$2,408.00 for professional services through March 31st. Brent Stetler supported the motion and it carried with a unanimous vote. Melinda Jobe made a motion to pay Pay Application #2 to Morphe Construction in the amount of \$227,703.96. Walt Minnick supported the motion and it carried with a unanimous vote.

PARK/RECREATION BOARD – No Park Board Members were present. The Kirklint Library Board appoints the 5th park board member and they have officially appointed Tanessa Curry. Billy Walker reported that the faucet at the end of the building has been changed by Forbush Plumbing. The handi-cap accessible door knobs have also been installed at the front and back of the pavilion. Several loads of dirt have been hauled to the park and will be spread out and seeded around the pavilion.

DRAINAGE – Brent Stetler noted that there was standing water at the southeast corner of E. Jefferson/Highway 421. Billy Walker stated that the construction company has mats over the drains near that area to keep debris out and will be removed. Since digging did occur in this area, the town will keep an eye on this area and deal with as needed.

UTILITIES – Billy Walker provided a written report to the council prior to the meeting. He reported that the water plant is working well. The first quarter of our TTHM/HAA5 testing passed with good numbers. Our annual average is still high due to the fall test and new notices will go out this week based on the annual average only. He will continue to monitor, flush and test to keep an eye on it. As test results go down each quarter, the annual average will also go down with it. IDEM will be here this month for our 3 year water sanitary survey. The waste water plant and UV system is doing a wonderful job and the generator is fully operational. We will be applying for another Community Crossings Matching Grant that opens in July. Billy stated his first priority will be Madison St. Billy has a meeting with INDOT on May 26th to find out information about the upcoming Highway 38 project in town. The storm water project in the alley east of the Town Barn has been completed. The Jobe's at 105 S. Illinois St. are already tied to it however Mike Wallace at 114 S. Main St. has yet to connect. Billy would like to do another project to extend the line further down the alley and run it parallel with the street instead of crossing under two residents' properties. He will be getting with Dan Sheets to find out if it is a county-owned tile. He would also like to do a project on Elizaville Rd. sometime possibly later this year. He reported that he and Drew are now fully vaccinated and that he will be in French Lick for a spring conference May 19th and May 20th. Billy will also be on vacation from May 29th and will return to work on June 7th. Mary King reported that Baumgartner Paving has been in contact with the residents who had damage done to their property during the recent paving project. She stated that they have been in contact with Robert Hickson and believes he has an appointment on May 18th at Akards to get the tar removed from his vehicle. They are also going to be signing a contract with Stacey Abbott stating that they will come in and reseal her driveway in 2022. Melinda Jobe made a motion to release the retainage to Baumgartner Paving in the amount of \$7,861.30 provided they meet the two items listed above with the residents. Walt Minnick supported the motion and it carried with a unanimous vote. Melinda Jobe made a motion to pass Resolution 2021-5-1 to transfer \$15,000 from MVH Fund #203 and \$4,653.17 from Local Road and Street to the Local Road & Bridge Matching Grant Fund for a total amount of \$19,653.17. Brent Stetler supported the motion and it carried with a unanimous vote.

TOWN MARSHALL – Brendon Bright reported that they have been short-staffed. Jake Myers is injured and he will need his release paperwork before he can come back to work. Dennis Tillman is also off work due to a death in the family and will be back later this week. The recall for the police truck is being delayed due to supply issues due to Covid. Grass ordinance violations seem to be doing better so far this year than last.

LEAK ADJUSTMENT – Tara Walker explained that Jerry Pickard submitted another leak adjustment form due to his leak going into a 2nd month. She told the council that the readings end the 24th of the month and despite that fact that he had it fixed, sometimes leaks go into two different months which is what happened in this instance. A motion was made by Melinda Jobe to approve a leak adjustment for Jerry Pickard in the following amounts: \$57.04

(water) + \$100.67 (sewer) = \$157.71. The motion was supported by Jerry Faucett and carried with a unanimous vote.

COUNCIL REPORTS – Fund, Revenue & Appropriation Reports and the Billing Adjustment for month ending April 30, 2021 as well as the Register of Claims was provided for council review prior to the meeting and the Billing Adjustment Register and Register of Claims was signed by all council members present. Mary King reported that the IT company we use is working on getting us e-mails ending in either .gov or .org. This will enable her to do banking online which will prevent having to wait until the end of the month to receive Bank of NY Mellon statements.

INTERNAL CONTROLS – Mary King reported that she has been working on updating the Internal Control Standards to comply with the ARP Grant requirement. Mary will have more for the council to review at next month's meeting.

COUNCIL COMMENTS – *Town Golf Cart* - Melinda Jobe reported that she has asked Mike Henry from the Fire Dept. if the Main Street events can have either fire department or EMS available. She asked Billy if the fire department can use the town golf cart, if needed, due to Kirclin Main Street using their own for the events and he stated yes. *207 N. Ohio St.* - Melinda also reported that she has had complaints about Brad Bailey's property. Jay reported what Mr. Bailey has to do to comply and that it is still ongoing at the county level. *Incident Report Form* - Melinda also asked if there is an incident form that KMS can use. Mary King stated that will ask our insurance agent if they have a form that we can provide for them. *Dead tree* - Jerry Faucett asked Billy if he can look at the dead tree near 104 E. Washington St. to see if it is in the alley and Billy stated that he will. *Scrap metal* - Billy Walker stated that he has made approximately \$6,000.00 for scrap and has more to go. He has found a company out of Noblesville that pays more than Wampler or Winski. *Town-Wide Cleanup* – Mary King reminded the council that Town-Wide Clean Up Day is scheduled for May 22nd. Jerry Faucett mentioned that it may be helpful, and safer, if another dumpster were sitting there for scrap. Billy stated that if the scrap can be set off to the side that he and Drew will pick it up the next week so the town can get a little money from it.

Seeing no further business to come before the Council, the meeting was adjourned at 9:15pm.

Minutes were recorded by Tara Walker.



Walt Minnick