

Battle Ground Town Council

Meeting Minutes, October 8, 2018

Attending: Steve Egly, Council President; Councilors Mike Bird, Greg Jones, James Miller, Zach Raderstorf, Clerk Treasurer Georgia Jones, Town Attorney Eric Burns, Street Supervisor Ron Holladay, Town Marshal Jerry Burk.

Guests: Joanne Kuhn Titolo, Angela Bisher, Ron Lehman, David Bisher, Melinda Antell, Rebecca Fassnacht, Becky Holladay, Charles Hilderbrand, Trisha Hilderbrand, Joseph Klein, Buffy Rogers, Ron Evans, Carol Watson, Steve Hancock, Steve Baker, Colin Sullivan, Jim Fields, Michele Fields, Wayne Robbins.

Steve Egly opened the meeting at 6:00 p.m. with additions to the agenda. James Miller has information on Community Allies, for organizational reviews; Mike Bird has an announcement in New Business. Steve Egly would like to address the trash hauling contract as first order of business.

Waste Hauling Contract - The waste hauling contract with Waste Management is ready for signatures. Waste Management has the lowest bid for a three year contract with option for two 1-year extensions. **Motion** by Greg Jones to accept the contract. Second of Zach Raderstorf, motion carried. 5 Aye 0 Nay. An original executed contract will be provided to the clerk for public access.

Conservancy Land Assets – Carol Watson, a director on the Battle Ground Conservancy District board, presented a formal request for transfer of land assets from Town of Battle Ground to the District. She recognized the council had deferred any decision for transfer pending the recent petition objecting to water tower financing. The petition was denied, and the Conservancy is ready to move forward with the tower project. A copy of Conservancy Resolution 18-19 was distributed, with the following request:

The Directors of the Battle Ground Conservancy District have now determined that in order to comply with court order and previous agreements, the Town Council of the Town of Battle Ground should:

- a) Transfer parcel 79-03-23-201-001.000-017 (Well #1 and Well #2) to the Battle Ground Conservancy District with an agreement that the acres would be rezoned and divided, with the Town of Battle Ground taking ownership of approximately 2.5 acres including existing storage barns, and with utility easement through the new parcel for water mains. The access road would also be an easement for shared use.
Reference Butler, Fairman and Seufert, Inc. (Job#6207) dated 7/24/18
- b) Transfer parcel 79-03-22-451-020.000-019 (Tower #2 and Well #3) to the Battle Ground Conservancy District
- c) Formalize an easement for access and insured interest in the parcel and water utility structures at 6301 Prophets Rock Road, easement to be defined to include one-half (1/2) of the building where the lab is located, the water superintendent office and specialized structures used for water distribution.
- d) Keep title to real estate where old water tower is located and provide an easement for repair or deconstruction of the tower.

Carol recommended the council appoint two members to meet with two members of the Conservancy to agree on details. After approval by both units, the documents would be finalized with attorneys.

Motion by James Miller to accept the requests, subject to approval of details with the committee of two Council and two Board members. Second of Greg Jones.

Steve Egly requested that public comment be deferred and asked council members what questions they have concerning the request and motion. Discussion included several mentions of the need for better communication between the Council and Board.

Mike Bird expressed frustration the tower replacement project has taken so long to develop and wonders if the plan is sufficient for future growth anticipated in the commercial area. Carol Watson mentioned the project has been in active planning since 2016, and agrees there have been delays, including the need to develop financial capacity. General agreement that project results will be even better if there is increased communication concerning the needs of the town and the water utility.

After additional discussion, there was call for the question. Steve Egly requested a hand vote. The **motion** passed, 5 Aye, 0 Nay. Zach Raderstorf and Steve Egly will be the representatives from the Council on the committee of four to work out details. Carol Watson and Steve Hancock expressed appreciation to the Council for their cooperation.

Dave Bisher commented that in addition to the new tower, the total project will upgrade many other components of the system for better operation. The fire department appreciates the council for moving forward to allow the project. Carol Watson read a list of improvements to the distribution system that have been added to the original project estimate.

Jim Fields asked what will happen to the land where the current tower is located. Steve Egly thought it might become greenspace or parking for downtown business. Fields also asked about the deconstruction timeline, which won't be known until the new tower is nearing completion.

Department Reports

Product for pavement crack sealing was received and application started on Battleview South.

A hit-and-run driver ran off the road and took out a post and gate at the sewage plant. A report was filed with the Town Marshal.

Woods Edge lift station may have been struck by lightning, the Mission equipment did not send an alarm when the station went to overflow situation. Ron Holladay will work with FJF Services (Flook) and BL Anderson to repair or replace, and determine whether insurance should be filed on the expense. Photos will be needed for a claim. Ron mentioned that a pump-around would have helped in this situation, so he could bypass the faulty lift and prevent overflow. The idea will be taken to BF&S to design a bypass that would also go through the meter.

Police

Town Marshal Jerry Burk has ordered vehicle cameras and received the rifles approved at the previous meeting. BJ Moyars will submit the grant request to the County Prosecutor for in-car computers and printers. The fire department requested closing State Road 225 for a free event on October 13.

Motion by Steve Egly to approve closing North Street from Winans to Railroad Street from 12 noon to 7:30 p.m. on Saturday, October 13. Second of Mike Bird, motion carried. 5 Aye 0 Nay.

Town Attorney

Eric Burns reports the situation is still hopeful for an agreed order for hotel demolition to avoid the expense of a hearing. If not, there is a potential receiver identified. The deed remains with the current owner but removal of the structure is accomplished by the receiver. Tippecanoe County Commissioners have indicated a loan to the town would be available for short term assistance if needed.

Clerk-Treasurer

Motion by Greg Jones to approve minutes of September 10 and September 26. Second of Mike Bird, motion carried. 5 Aye, 0 Nay

Motion by Greg Jones to approve Ordinance 2018-573 Battle Ground Civil Town Budget Order for 2019. Proposed tax rate is .6663. Second of Mike Bird, motion carried. 5 Aye, 0 Nay. To fund the 2019 budget as advertised, a budget reduction is needed in 2018.

Motion by Greg Jones to approve Resolution 18-94 Budget Reduction affecting the following funds:

Fund 245 Rainy Day	\$ 90,000
Fund 242 Casino/Riverboat	\$ 20,000
Fund 401 Cumulative Capital Improvement	\$ 7,900

Second of James Miller, motion carried. 5 Aye 0 Nay.

Motion by Greg Jones to approve the Register of Claims, Sept 26 to October 8, 2018. Second of James Miller, motion carried. 5 Aye 0 Nay

United Health insurance costs for 2019 will range 5% to 7% higher depending on the plan and deductible selected. After discussion it was agreed that the insurance agent should meet with employees to share available options and allow employees to pay the difference to have a lower deductible if desired. Health savings account plans will also be presented for consideration.

Steve Egly thanked Greg Jones and Georgia Jones for working with Butler, Fairman & Seufert to have the Community Crossings Grant applications submitted by the deadline. The town has increased the project applications annually, from \$160,000 in 2016, and \$320,000 in 2017, to \$660,000 in 2018.

Area Plan

Greg Jones mentioned a presentation on wind farm companies that are interested in the south part of Tippecanoe County and areas of Clinton County. The new turbines are 600-700 feet tall at the top of the blades. Area Plan will review the information.

Committees

Communication – no report

Personnel – no report

Streets and Roads – Greg Jones mentioned the new Community Crossing application format requires much more information than prior years, including three years of accident and injury statistics and more detailed project cost for each road segment. Jerry Burk was able on short notice to provide the statistics

needed to meet the application deadline. Other information includes annual updates to the town's ADA plan and Title IV information on file with INDOT.

Sidewalks and Paths – Greg Jones will meet with Mike Weatherby from Heartland Excavating for estimates to complete one or more ADA accessible intersections, and look at sidewalk repairs in town. Ron Holladay mentioned that any concrete removed from sidewalk areas could be heavy fill for some washout areas he would like to improve. Guests Becky Dunker and Buffy Rogers contributed to the discussion about repairing or re-routing sidewalks. Some of the older trees are a liability to the sidewalks, there are questions about preserving or removing those that present major obstructions to walkways. Residential sidewalks should be 48" to meet the town's adopted guidelines. Some sidewalks could be improved but they would not meet the stated code width without major excavation and removal of mature trees.

Old Business – Trash hauling contract was previously addressed

New Business

Consulting firm to study reorganization

James Miller recommends a third party review of Sewage and Conservancy utility operations for potential improvement and efficiency in organization and communication. He introduced one option, Community Allies, an economic development consulting firm. The company has founded its "Center for Neighborhood Technology" to assist local economies with solutions for business organization and other challenges. He mentioned a representative, Scott Bernstein, who specializes in funding including grants for water systems and other infrastructure needs. James will forward links to the council to learn more about the company at CommunityAllies.net.

Council person resignation

Mike Bird informed the council that due to increases in his work assignments and travel schedule, he would be resigning at the end of the year. He has represented Ward 4 for seven years. The council will start the process to select an appointee for January 2019.

Lease Petition

James Miller thought there might be some issues that DLGF did not address in the lease petition process. He wanted to know if there were any questions or "loose ends" that the Town Council or the Conservancy should help answer. Steve Egly asked if there is a suggestion how to approach that.

James asked Ron Evans, author of the lease petition, if concerns remain. James said he does not have to go into them now but could get together outside the council meeting time. Ron Evans responded that he did not really know some of the information about the tower project until petition documents were received from DLGF during the petition process. He mentioned a joint sewage and water utility study from 2006 and a geotech survey from 2017. Ron commented that Well #3 was said to be not operating due to high iron content in the water. He wanted to know if the town was operating on one well. Carol Watson recalled that Dan Gemmecke previously addressed this misconception, saying that the well is in fact operational. Georgia Jones suggests that we involve the Superintendent and engineers, and requested that Ron put his concern in writing so there is no confusion about questions or responses.


Ron went on to question the iron content at Well #3 and Georgia mentioned reports which show the exact test results on iron content. James Miller commented that he did not intend to start a debate during the council meeting, and suggested Ron send his concerns to Carol Watson. Carol confirmed the Conservancy would respond.


Ron said this might be his last opportunity to say much about financing and mentioned Zach Raderstorf's analysis of payments using a lease compared to State Revolving Fund (SRF) financing. Zach calculated additional financing expense of \$127,000. Ron believes funds would best be used for other projects such as replacing undersized mains, replacing lead components in the system, and addressing any problems with hydrants.

Carol Watson mentioned that the SRF financing rate used by Zach in his analysis may have been available to the town in the past, but factors such as the annexation of Shawnee Ridge subsequently increased the District's median household income. The SRF loan rate at the higher income level is currently higher than Zach's estimate. She explained the anticipated difference in the cost of the lease compared to current SRF loan rate at our community income level is not as great as the amount Ron mentioned. She referenced the financing comparison prepared by the Department of Local Government Finance which was presented in the petition final determination. To the other concerns, she requested that Ron provide his specific questions in writing, so responses could be provided by either the Superintendent or the engineers involved in the project and presented at a Conservancy meeting.

Motion to adjourn 8:43 p.m. by James Miller, second of Mike Bird.


Georgia Jones, Clerk Treasurer


Steve Egly, Council President


Zach Raderstorf