

Battle Ground Town Council

Meeting Minutes, November 12, 2018

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

Guests: Mark Kinsey, Mary Jo Totten, Ron Evans, Colin Sullivan, Buffy Rogers, Bill Jones, Carol Watson, Joanne Kuhn Titolo

Steve Egly called the meeting to order, 6:00 p.m.

Guest Comment

Battle Ground Conservancy District

Carol Watson presented a land transfer agreement that was worked out in a meeting including Conservancy Directors Kerry Smith and Carol Watson, and Council members Steve Egly and Zach Raderstorf. The agreement is the basis for preparation of deeds to finalize land acquisition for the water tower. The engineering geotech survey report is complete and indicates the proposed site is good to proceed with construction planning.

A survey will be needed to complete Item 4 in the agreement, which requires legal descriptions to create the new parcels. A comment was made that the document should be amended to include a first right of refusal for Item 1, wellfield #3 and tower #2 on CR 600 North.

Yet to be determined are the terms of a lease under Section 3 for land used by the water utility at 6301 Prophet's Rock Road. The booster plant is located there since the 1960's and the pole building was built later as a joint project. Steve Egly commented there were conversations about having the water barn owned by one entity, and that if it is shared use there should be a statement of percent ownership. Carol said the Conservancy feels there is enough shared use that it should continue to be joint ownership. Steve asked Ron Holladay how he would estimate use. Ron said it depends what time of year, the use for each utility changes with the seasons but overall could be estimated 50-50 shared use. Eric Burns suggested there are complications to work through for each scenario, whether shared ownership or lease value. Ron gave examples of the type of shared upkeep activities and expenses that are common, such as replacing light fixtures and repairing the gutters.

Motion by Greg Jones to approve the transfer agreement with the stipulation of adding first right of refusal to the CR 600 parcel. Second of Mike Bird. Motion carried, 5 Aye, 0 Nay. There will be two copies of the amended agreement for the Conservancy to sign on November 14, and the council would come to town hall Thursday or Friday to sign the new document.

Butler, Fairman and Seufert

Colin Sullivan met with Ron Holladay to review the Woods Edge lift station. They found a solution for a pump-around if there is a future power outage or problem with the pump electronics.

Colin reported that Rieth-Riley has not repaired the sidewalk at the Eye Opener. Due to the recent cold weather, they will watch for the first break in temperatures to complete the repair.

Department Reports

Police

The town marshal had two patrol units out on Halloween. Trick or Treat activity was 6 PM to 8 PM.

The Open House at the Tippecanoe Volunteer Fire Department was a success.

The police department submitted an application for a \$35,000 reimbursement grant to purchase body cams with archive storage, in-car computers and software. Jerry expects the county prosecutor will provide two radar units and four tasers after the first of the year. The ballistic vests previously approved have been ordered. New deputy B.J. Moyars will attend police academy. Jerry requested approval to trade in an older weapon on a new one of the same model used by other deputies.

The house at 112 Main has obtained a variance for reconstruction and the owners are looking for a contractor. There is a tree down at Liberty and Sherman after a recent storm that residents are commenting about, saying it should be cleaned up.

Greg Jones mentioned the grant for school zone radar signs is still in the works.

MVH

Leaf pickup is slow going this year and Ron believes they will be caught up within two weeks. The process is more efficient with two people working. The last day for the leaf vac is December 7. Mike Bird suggested adjusting the final date after seeing what remains to be done that week.

Salt spreader for Rons' truck is rebuilt and both trucks are ready for service.

James Miller asked about snowplows and drivers for this snow season, whether we are ready.

Sewage

The lift station at Woods Edge had damage to the two main boards which cost \$2155 each for replacement, plus the cost to clean up. The repair comment indicates it could have been a lightning strike and possibly reported under the hazard insurance policy. FJF Services replaced the first board and Ron will replace the second board to reduce repair expense. He will investigate options for surge protection on the new boards.

Hawks Nest lift station was plugged, a backflush cleared a toy that caused the jam.

Kaiser blower valve was replaced last year but may need to be worked on again.

Steve Egly will contact Wealing about hauling sludge from the treatment plant in November.

Ron will be using vacation in November to avoid losing his benefit hours.

Town Attorney

Eric Burns will send a letter to Fox Paving addressing the pavement failure on 600 North hill. The failure is estimated to cost the town up to \$60,000 in additional maintenance over the 40 year expected life of the road. The council would like to see a response from Fox. Dave Buck and representatives from the Council will work to negotiate with Fox Paving.

The unsafe building suit has a receiver, Kevin Bol with KB Associates. Tippecanoe County Commissioners agreed to an Interlocal Agreement with the Council in case the town needs to pay off the demolition. A joint board comprised of Council and Commission members would oversee the agreement and transfers of loaned funds. The interest rate per state code is 3%. Repayment would be from the owner, or from a sheriff sale. Eric Burns provided a draft agreement to the council for review to become familiar with the requirements and responsibilities. The loan funds should be placed in a dedicated bank account.

Minutes

Motion to approve minutes of October 8 by Zach Raderstorf with second of James Miller. Steve Egly asked if anyone remembered what questions were brought up at the end of the meeting regarding the Conservancy. Georgia Jones did not include them in Council minutes since they were topics concerning the water utility and not items the Council could address. After discussion, the motion to approve was withdrawn. The Council would like to have guest comments at the end of New Business written into the minutes.

Clerk-Treasurer

The register of claims presented for approval shows some entries that do not yet have warrant numbers. The recent invoices from Taft Law for \$26,171.00 exceed the appropriation available and a transfer resolution will be needed. The billing is through September 30 and there may be additional bills for October. The resolution is deferred to December.

Motion by Zach Raderstorf to approve the register of claims Oct 9 –Nov 12, 2018. Second of Greg Jones. Motion carried. 5 Aye, 0 Nay.

The storage unit for town records has been reserved, and materials for shelving purchased. Jerry Burk has also looked at storage containers that could be purchased for \$2100. These are weatherproof and vermin-proof and could be used to hold archive records without the monthly rental fee. Discussion tabled for more information on unit size, appearance and suggested location.

Council reviewed a draft letter to announce the vacancy for Ward 4 Council seat. Motion by Greg Jones to approve mailing the letter to Ward 4 residents, with the addition of a map showing ward boundaries. Second of Zach Raderstorf. Motion carried, 5 Aye, 0 Nay.

Council members are advised to consider their obligation to archive all personal emails used for council activity so they are available to public records requests.

The memorial fountain has been turned off for the winter, and one utility bill for the season will be prepared for December. The Sewage Board can decide if the sewage fee will be billed. Steve Egly said he does not believe there is a sewage connection, it would be appropriate to waive the fee.

As a result of the state audit for years 2014-2017, the council will need to increase monitoring activities for internal controls. The State Board of Accounts will look for documentation that the council has reviewed monthly bank reconciliations, account adjustment reports, payroll and receipts. These reports need to be signed and dated by the reviewer. This activity will be added to the monthly agenda.

There is an unpaid stormwater bill for MGM Plaza that has had no response for months. It is time to file a stormwater lien and requires the assistance of the attorney to be sure it is filed correctly considering the other issues surrounding the property and ownership.

Area Plan

The Area Plan ordinance committee is working to exclude certain mining operations from the flood plain areas. It will be an ongoing discussion for the next few meetings.

Steve Egly congratulated Greg Jones for the successful CCMG applications which all received award funding, and stated the awards represent a 300% increase to budget dollars available for road projects.

Committees

Personnel - Mike Bird is considering a request from the billing clerk to have a 32 hour/week schedule next year. He is evaluating office requirements, to perhaps add a third person to be available as backup for billing responsibilities. Mike will call a work session to use a small group for discussion regarding salary and schedules.

Communication - no report

Streets and Roads - Greg Jones confirmed that Battle Ground received all the funds requested in the 2018 CCMG applications. He is concerned about a section of Prophet's Rock Road that has water coming into the pavement area almost continuously. Steve Egly suggested locating the water and sewer lines in the area to see if they are involved. Ron will work on this.

Sidewalks and Paths - There is a sidewalk in front of the elementary school on Main Street that has heaved several inches due to tree roots. Joanne Titolo contacted the school corporation about the potentially hazardous area. By town ordinance the sidewalks are the responsibility of the property owner however Joanne's report of contact with school administration indicates they don't have plans to address repairs.

Greg met with a contractor to receive estimates for intersection improvements on College, Tipton, Winans and Jewett streets. Meeting ADA standards will cost about \$12,000 per intersection. There is a budget appropriation for ADA improvements. Steve Egly asked Colin Sullivan if it is still true that road grant projects could include sidewalk and ADA compliance elements in the total cost. Some streets need to have stormwater corrections before sidewalk work would be feasible.

Old Business – None

New Business

Title IV Implementation Plan – The recent Title IV audit resulted in updated documentation for grant programs and other purposes. The plan will be referenced in future CCMG applications. A customer survey is to be made available at each public meeting, which will be announced or mentioned on the agenda. The survey allows the public to comment if they need reasonable accommodation. A complaint form is available if there is an issue to resolve. Some potential accommodation requests are braille forms and materials, sign language, and spoken language translation.

Office Hours – The personnel committee will evaluate the utility office job descriptions, public hours and salary ordinance details at a work session. The evaluation includes alternatives of higher wages, reduced or extended utility office hours, and additional part time employee within budget constraints. Mike Bird and Zach Raderstorf will meet with the clerk to discuss alternatives and suggest a 2019 salary ordinance.

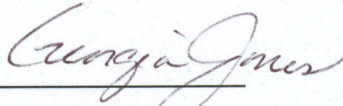
Resolution Regarding Power Line Issue at Prophetstown State Park – A utility company wants to move a power line to avoid the lake recreation area scheduled to be developed at Prophetstown State Park. The town council desires to make an official statement in opposition to placing above ground power lines on or through the site developed for the Farm at Prophetstown, a working farm and educational museum with programs in 1920's agriculture and home arts.

Motion by Greg Jones to adopt Resolution 18-95 A Resolution Opposing the Placement of Power Lines Through the Farm at Prophetstown. Second of James Miller, motion carried. 5 Aye, 0 Nay. Steve Egly requested copies of the resolution be provided to state representatives and the director of the Museum at Prophetstown.

Quitclaim Deeds -A question was raised by Randy Young about a request from Town of Battle Ground for a quitclaim deed. The council has no knowledge of an active request for deeds from residents. It is believed that in a previous year, some property owners on Winans and North Streets were contacted for easement or deed correction to allow the North Street reconstruction to touch those properties. There is no current project that is requesting this, although a situation was discovered at the Battlefield park that may require vacating an old alley parcel.

During a storm a tree in that parcel fell onto the adjacent residence. The county did not clear it, saying they could not have their employees work on private property. The Battle Ground Street Department took care of the tree, with thanks to Ron Holladay. Eric Burns recommended going back to the original plat to get the correct legal description, and initiate a process to vacate the parcel to the county. The lot is a service road to the Leona Brier educational center. Steve will talk with Allen Nail to get the process started.

Motion to adjourn 8:16 p.m. by Greg Jones.



Georgia Jones, Clerk Treasurer



Steve Egly, Council President