

Battle Ground Town Council

Meeting Minutes, August 13, 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: Ron Evans, Buffy Rogers, Steve Hancock, Dave Buck, Colin Dale, Colin Sullivan, Joanne Kuhn Titolo, Elizabeth Langenkamp, Daniel Langenkamp, Xavier Langenkamp, Rafael Langenkamp.

Steve Egly called the meeting to order, 7:00 p.m.

Guest Comment

Steve Hancock provided the council a prepared statement from Tom Brooks who could not attend. The Battle Ground Conservancy District board requests four actions in compliance with prior agreements and order of the court at the time the Conservancy was established in 1977. The actions will satisfy requirements of the Indiana Department of Environmental Management regarding control of water system components.

- a) Transfer the parcel on which the Wells #1 and #2 are located to the Battle Ground Conservancy District;
- b) Transfer the parcel on which the newest blue water tower (Tower #2) and Well #3 is located to the Battle Ground Conservancy District;
- c) Grant the District a lease on the Booster Plant and in one-half (1/2) of the building where the lab is located;
- d) Keep title to real estate where old water tower is located, and provide an easement for repair or deconstruction of the tower.

Full text of the formal request is attached to the minutes. Jim Miller asked if the results of the remonstrance would impact this request for transfer. Hancock advised that it shouldn't, due to ongoing operations that are involved and the remonstrance is limited to the choice of financing method. Having no motion from the councilors, Steve Egly takes the request under advisement.

Colin Dale of Butler Fairman Seufert reviewed current status of the Sewage Master Plan. The report will assist planning to remedy existing issues and prepare for future growth of the system. The design includes replacing the Prophet's Rock lift station with a regional lift station and changing the configuration of mains in the commercial area on SR 43 to eliminate lift stations. He will distribute an electronic copy to the council via email.

Regarding the materials inspection on CR 600 hill, Dave Buck would like to discuss the findings with the town attorney before making a recommendation to the council.

Motion by Greg Jones to approve a meeting of Dave Buck and Eric Burns at a future date to discuss options available to the council. Second of Zach Raderstorf. Motion carried, 5 Aye 0 Nay.

Dave is working on updating the PASER inventory for street repair and a potential cooperative effort with Tippecanoe County Highway for improving 9th Street Road. There may be opportunity to correct

pavement and drainage issues on South Railroad Street at a reduced cost as well as submit for a Community Crossings Grant. Steve Egly mentioned the CCMG 2018 application should be available for review at the August 27 meeting.

Sidewalk repair on North Street at the Eye Opener front doors is expected to be done by Rieth-Riley. The water should pond less after they replace the shattered thinset application in that area.

Guest Ron Evans introduced himself as the author of the remonstrance against the Battle Ground Conservancy District intent to use lease purchase financing for a replacement water tower. He presented his petition allegations in detail. There ensued extensive discussion of the petition. Jim Miller suggested this meeting is not the time to review and evaluate Conservancy issues. Georgia Jones expressed concern that the council is receiving incomplete and erroneous information from petitioners and should take time to hear the complete facts from the Conservancy.

Zach Raderstorf asked if the town would be responsible if the Conservancy defaulted on a loan, and whether there has been engineering input in the process for new construction. Eric Burns stated the town would not have a responsibility for the Conservancy. Steve Hancock verified that Butler Fairman and Seufert is involved in the tower study and design process. Joanne Titolo told the Council that an attorney had not reviewed the lease documents. Georgia Jones corrected that statement, that in fact the Conservancy has had legal counsel review the documents during development.

Zach Raderstorf posed what he termed a "high level question," asking why there is a need for two utility boards. James Miller suggested that both operations could be reviewed for potential reorganization by a third party to identify issues and suggest a plan. Steve asked Zach if he thought it would be appropriate to have Eric's firm investigate options to absorb the Conservancy.

Motion by Zach Raderstorf to pay Eric Burns' firm to investigate absorption/dissolution/merging of the two utility boards. Second of Greg Jones. Jim Miller requested clarification of the motion. Steve Hancock, a Conservancy Director in attendance, mentioned that the question had been researched previously by attorney Miriam Robeson. Call for question, motion carried. 5 Aye, 0 Nay. James Miller hopes that the investigation is just one part of a cooperative effort for efficient operation.

Department Reports

Police

Jerry Burk requests an increase in the fuel budget for 2019. His department participates in the bulk fuel purchase with West Lafayette police department, invoiced by 1000 gallon lots as needed. They are now using 3 or more purchases per year. The department requests new equipment for patrol. The list includes ballistic vests, car cameras, and a rifle for each vehicle. Also desired are updated radar/data collection tools that track several data points related to speeding and provide hotspots to search necessary records.

Motion by Steve Egly to purchase two cameras, two patrol rifles and two vests for the police department, to the Marshal's specifications. Second of Greg Jones, motion carried. 5 Aye 0 Nay.

Dave Buck suggested there may be federal funds for radar units, and to contact Area Plan for more information. There may be an option to request help from the county prosecutor for in-car computers.

MVH

The West Lafayette Street Department has agreed to paint lines on Main Street for the cost of the paint. Ron and Larry will lay out the guide marks every 100 feet.

Steve Egly will not be the town's representative to INDOT for 2019. Greg Jones agreed to assume the role of Employee in Responsible Charge (ERC) and take the required online training.

Sewage

Ron Holladay reports several repairs including a break in the Hawks' Nest main. Some require working in front yards of a couple residences. They are making progress on the list to clean all the lift stations.

Ron met with Zach to keep him apprised of the needs for River Bluffs lift stations 1 and 2. They will also attend to a single family manhole in the area, which requires annual cleaning due to problems caused by personal wipes.

A waterway repair on Cibuta was evaluated, whether to rent equipment for a week or pay a contractor. Force labor might require two days effort, a contractor could probably be done in a day.

The recent IDEM inspection report shows three minor infractions; 1) overflows and sewer breaks, 2) e Coli in one of the tests, and 3) two maintenance logs were missing entries.

Town Attorney

There will be a scheduling conference by phone, to request dates for hearings to enforce the demolition order, and for the appointment of a receiver with specific deadlines. The mortgage holder in Chicago is dodging service, the remedy is publication in a newspaper.

The revised animal control ordinance will be brought to a future meeting. There are still some questions, one of which is current policy and cost of shelter fees for stray animals.

Clerk-Treasurer

Motion by Zach Raderstorf to approve minutes of July 9, July 16 and July 31. Second of Greg Jones. Motion carried. 5 Aye, 0 Nay.

Motion by Greg Jones to accept the register of claims July 10 to Aug 13. Second of Zach Raderstorf. Motion carried. 5 Aye, 0 Nay.

Waste hauling bid specifications were published on August 9.

An estimate of the cost for the saw cut for Don Pritchard on Warrior Drive is requested to plan end of year expenses. Greg Jones has been trying to reach Don to make arrangements.

Town Hall received a request for utility easement location along East Street. Area Plan could not locate a record of utility easement for the full length of East Street in its present location. The street was moved in the 70's or early 80's. Colin Sullivan is helping look through records at BFS to see what exists. Ron Holladay knows that Mr. Carter has a map for his property and believes there are marking pins still present. Steve Egly suggested we ask for a copy of Carters' map. Mr. Carter may have an issue with the placement of the street, which is related to but separate from the easement question.

Area Plan – no report

Committees

Communication – No Report

Streets and Roads – No additional report

Sidewalks and Paths - Greg Jones tried three times to call Don Pritchard regarding his request for sidewalk repair. There is no voicemail, so no contact has been made. He has estimates for concrete and is reviewing potential plans for September or October.

Personnel Mike Bird defers to the Clerk-Treasurer to review budget impact of a potential new Town Manager position. Georgia Jones provided a discussion draft of salary ordinance and a report showing the distribution of wages in Sewage, MVH and General fund. These documents illustrate the wage increases needed to bring current employees closer to area wages for similar positions. Adding a new administrative position to the General Fund or MVH is not recommended. At the salary level proposed, \$60,000 annually, it would require the entire General Fund capital projects budget to cover the expense.

A question was posed to the attorney whether the Sewage Board and the Stormwater Board need separate ordinances for wages. A question about police accident and disability insurance coverage will be referred to the insurance carrier. Also under review is the anticipated changes in liability and Work Comp expenses to add another employee.

Steve Egly asked if money can be set aside, to see if a town manager position can be added next year. Mike wants to see enough in the budget to hire someone with skills in all the departments; sewage, streets, sidewalks, water. Zach would like to set aside a salary amount to get the ball rolling. Georgia explained that the funds could be re-allocated during the year using an approved method of documentation for the transfer.

Steve Egly asked if there will be additional budget in General Fund salary appropriations in 2019 for labor for compost and mowing. The Clerk-Treasurer has a spreadsheet report that illustrates the impact of moving some wages from MVH and Sewage to the General Fund for these activities. The salary ordinance must be updated to reflect a change in the percent distribution affecting a wage category.

Motion by James Miller to add a new section to the salary ordinance for a Town Manager at \$60,000 annual wage, using a formula to allocate wages 25% MVH, 37.5 % Sewage and 37.5% General Fund. Second of Zach Raderstorf. Motion carried. 5 Aye 0 Nay.

Old Business

Ordinance 18-569 “An Ordinance to Regulate Open Burning on Private and Public Property Within the Town of Battle Ground to Protect the Public Health, Safety, and Welfare of the Residents of the Town of Battle Ground” is brought to the council for second reading. **Motion** to adopt Ordinance 18-569 this ordinance by Zach Raderstorf with second of Mike Bird. Motion carried. 5 Aye 0 Nay.

Ordinance 18-570 “An Ordinance Amending Ordinance 2012-497 Regulating the Abatement of Grass, Weeds, or Vegetation Nuisances Within the Town of Battle Ground and Ordinance 387 to Protect the Public Health, Safety, and Welfare of the Residents of the Town of Battle Ground” is brought to the council for second reading. **Motion** to adopt this ordinance by Zach Raderstorf with second of James Miller. Motion carried. 5 Aye 0 Nay.

New Business

Meeting Time Change - Discussion of board meeting time change to 6:00 p.m. on a regular basis. The August 27 meeting for bid opening has been advertised for 6 p.m. Future meetings will be changed to the new time.

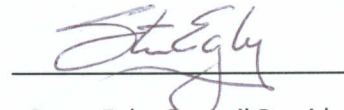
Motion by Steve Egly to approve the advertising for an additional appropriation request. Second of Zach Raderstorf, motion carried. 5 Aye, 0 Nay

Fund 233 Local Law Enforcement	6,000.00
Fund 301 Federal Grant	14,746.61
Fund 302 Local Road and Bridge Grant	153,410.22

Motion to adjourn 10:50 p.m. by Greg Jones.



Georgia Jones, Clerk Treasurer



Steve Egly, Council President