

Battle Ground Town Council

Meeting Minutes, January 9, 2023

Attending: Council President James Miller, Councilors Matt Coppock, Steve Hahn, Greg Jones, Mary Jo Totten. Also attending: Town Attorney Eric Burns, Town Supervisor Ron Holladay, Town Marshal Jerry Burk, Clerk Treasurer Georgia Jones.

Guests: Dave Buck, Chris Limiac, Colin Sullivan

At 6:00 p.m. the first order of business was nominations for 2023 Council President, with Eric Burns presiding. Mary Jo Totten moved to nominate James Miller, with second of Steve Hahn. There were no other nominations and the motion carried with unanimous vote. Greg Jones agreed to conduct meetings if the president is not able to attend.

Minutes

Motion to approve the minutes of December 12, 2022 by Mary Jo Totten, with second of Steve Hahn. Motion carried with unanimous roll call vote.

Attorney

Eric Burns presented an amendment to the sewer ordinance addressing the application of fines to recover higher maintenance costs when necessary. One contributing factor is the use of personal wipes, which are small enough to flush but cause large clogs in wet wells and mains. Mary Jo Totten moved to adopt Ordinance 2023-624 An Ordinance to Amend Sewer Use Ordinance (Ordinance 2014-533) To Clarify Penalty Provision. Second of Steve Hahn, motion carried with unanimous roll call vote.

The council evaluated their options regarding annexation of commercial properties that request public utility service. Eric Burns recommended the council obtain an updated fiscal plan as the foundation for future action.

An encroachment in the utility easement at the north end of Munsee Drive currently impedes the Hawk's Nest Lift replacement project and must be resolved in the next three weeks. Eric Burns will relay the response requirements to the property owner and their attorney. The town, the contractor and the developer all incur additional financing and maintenance costs while waiting for resolution. The town council determined January 31 as the date by which the encroachment must be cleared by the property owner. Work will commence after this date.

Jerry Burk reported a conversation with Stephen Jenkinson, who owns the property on the east side of the intersection of CR600 N and Prophet's Rock Road. Stephen approves of the proposed work to add fill dirt on the road shoulder, creating a gentle slope instead of the current steep drop-off which is now eroding and threatens the stability of pavement at that location. Ron Holladay estimates the cost under \$10,000 using the fill removed from Tomahawk Lane and purchasing cement stabilizing blocks. The town will secure a right of entry for the project duration. The use of metal guard rail or other barrier is also under consideration. Dave Buck recommends initiating a road safety audit for work beyond erosion control.

Contracted Services

A task order for review of Arby's construction plans was presented to the council. This order covers the both preliminary and final plans, not to exceed \$5,000 which is paid by the developer. Mary Jo Totten **moved** to approve the order, with second of Greg Jones. Motion carried with unanimous roll call vote.

Clerk-Treasurer

The register of claims was presented in two sections, December 13 -December 31, 2022 in the amount \$226,661.73 and January 1 to January 9 in the amount \$. Mary Jo Totten **moved** to approve both registers, with second of Matt Coppock. Motion carried with unanimous roll call vote.

Council reviewed year end revenue and appropriations. Several funds were not part of the 2023 budget approval process and require additional appropriations prior to expenditure in 2023. A resolution to address these funds was presented and discussed. A public hearing will be advertised for February 13 to receive public comment.

The clerk requested approval to move 75% of the wastewater operating fund investment balance to the Sewer Capital Reserve fund. The investment stays in Trust Indiana, only the fund number changes. Mary Jo Totten **moved** to retain \$100,000 in 6201 operating fund and move the balance to 6203 Capital Reserve. Steve Hahn offered a second and the motion carried with unanimous roll call vote.

Police

Jerry Burk requested approval to purchase a street line, curb and crosswalk painter, along with a trailer for storage and security. He estimates the cost at \$18,000. The equipment would be paid from a combination of funds. Mary Jo Totten requested current and complete price quotes for the February 13 meeting, to support a decision.

Utilities and Street Department

The volume of waste hauling from the sludge tank is higher this year and was at tank capacity. It may be necessary to go back to hauling twice a year. The old truck has a new bed and ready to have the third salt spreader attached. This unit will improve response on CR 600N during heavy snow events.

Redevelopment Commission no meetings yet this year

Area Plan no meetings yet this year

Committees

Transportation – Greg Jones will have a project ready for the CCMG 2023-1 application deadline.

Public Relations / Communication – Jim Miller would like to develop a spring newsletter with current town projects information for residents.

Strategic Planning – the Land Use committee will meet January 12.

Citizen Advisory Groups – no report

Old Business

Georgia Jones asked the council to comment on their support of expenses to codify town ordinances using an online format hosted by a vendor. The initial expense is \$7,000 to \$12,000 and the ongoing cost for hosting is \$500 annually. Two vendors responded to request for quote, and of these the lower cost is American Legal Publishing which also hosts Tippecanoe County code of ordinances. It is believed that hosting with this vendor would improve the ability to link referrals to the Unified Zoning Ordinances and county construction code.

Motion by Mary Jo Totten to approve a contract with American Legal Publishing. Second of Steve Hahn, motion carried with unanimous roll call vote.

New Business

The council will meet January 16 for an information and study session.

Greg Jones formally thanked James Miller for his leadership as president, commenting that in two years the council has done so much and there are still many important projects in the planning stages.

Guest Comment

Joe Kline asked about plans to complete the Main Street storm water pipe across his property. Ron does not have details at this time.

Motion to adjourn 7:55 p.m. by Mary Jo Totten with second of Steve Hahn.



Georgia Jones, Clerk Treasurer



James Miller, Council President

Memorandum of Open-Door Law Compliance
Battle Ground Town Council

Date: January 9, 2023

Time: 6:00 p.m.

Members Present in Person: James Miller, Steve Hahn, Greg Jones, Matt Coppock, Mary Jo Totten

Member Present Virtually on screen: none

Member Present by Telephone: none

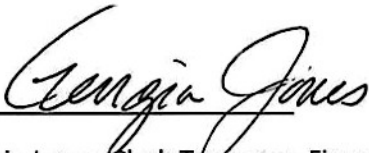
Also Present in Person: Georgia Jones, Jerry Burk, Ron Holladay, Eric Burns

Guest Present in Person: Colin Sullivan, Chris Limiac, Dave Buck

Guest Present virtually: Joe Kline

Electronic Means of Communication Used For Members and Public: Zoom.us

Attest:



A handwritten signature in cursive script that reads "Georgia Jones". The signature is written over a horizontal line.

Georgia Jones, Clerk-Treasurer, Financial Clerk