

# Battle Ground Town Council

Meeting Minutes, August 8, 2022

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

Guests: Dave Buck, Colin Sullivan

Guests virtually: Dan Gemmecke, Joe Kline

James Miller called to order at 6:05 p.m.

## Minutes

**Motion** to approve the minutes of June 30 and July 11 by Mary Jo Totten with second of Steve Hahn. Motion carried with 4 Aye and one absent.

## Attorney

Ordinance 2022-615 Amendment to Parking Violation was discussed. The fine, currently \$10, would be raised to \$20. The fee after 5 days late payment, currently \$20, would be raised to \$40. After 10 days late the violation is submitted to the court with additional fees and fines. Mary Jo Totten moved to adopt the amendment, with second of Steve Hahn. Motion carried with 4 Aye.

Ordinance 2022-616 Sidewalk Regulations was discussed. This document updates the previous ordinances and mentions the Primary School Sidewalk Corridor as a funding priority. There is a daily fine for violation of any provision of the ordinance. Greg Jones moved to adopt this ordinance on first reading. Second of Steve Hahn, motion carried with 4 Aye.

The Sidewalk Matching Fund policy, introduced previously, is intended to assist property owners with maintenance costs, making sidewalks safer for pedestrians and increase compliance with specifications of the Americans with Disabilities Act. The policy was updated from prior version. Greg Jones moved to approve the policy as amended, with second of Mary Jo Totten. Motion carried with 4 Aye votes. The companion documents, an application and the award confirmation, were also considered. Mary Jo Totten moved to approve these documents, with second of Steve Hahn. Motion carried with 4 Aye. The start date to receive applications was not determined.

The Hawks Nest project will require a court process to obtain the utility easement and right of entry on two properties involved in a new route for the sewer main serving two subdivisions. One owner is not communicating with the attorney and a second owner has not signed agreement documents to initiate the payment. The project will incur additional costs if the easements are not secured before October. Steve Hahn moved to proceed with condemnation for the property jointly owned by members of the Huston family. Second of Mary Jo Totten, motion carried with 4 Aye.

Mary Jo Totten moved to proceed with condemnation for the Stockment property, pending a final request from the Council President to avoid the increased costs to both parties. Second of Greg Jones, motion carried with 4 Aye.

The lift station at River Bluffs required repair, and the adjacent property owner is looking for a recorded easement for that location. None was found at the Tippecanoe Recorder's office. Because the utility has been in operation for many years, the easement is in place whether or not there is a recorded document. Ron Holladay may ask the subdivision developer if he has any information on the easement provision.

The Indiana Attorney General announced that Indiana is a part of the \$26 billion national settlement for opioid abatement, and all cities, towns, and counties in the state are participating in the settlement. The payments will be processed over a 15-year period, and it is anticipated that that the 2022 payments will be transferred to the participating subdivisions in the fall of 2022. The council discussed the allowed uses for the funds, which may include training for deputies as first responders.

### **Contracted Services**

Dave Buck provided a project summary for Tomahawk Lane Reconstruction, showing the budget values and the financial impact of six change orders. Two orders require approval, to discovered conflicts and changes to customer meters and service lines. The council is in agreement that the work is necessary however for some items there is ambiguity regarding the responsibility to pay.

Mary Jo Totten moved to approve Change Order #5 for \$16,980 and Change Order #6 for \$7,000 and right is reserved to discuss the source of funds. The council would have opportunity to review what entity is responsible for the expenses. Second of Steve Hahn, motion carried with 4 Aye.

Dan Gemmecke informed the council that the water main connection installed at Sherman Street and Tomahawk Lane is in violation of the construction permit. He would like to know who approved the installation. This will be addressed with Butler, Fairman and Seufert representatives.

The Woods Edge lift station is at the end of service life and Ron Holladay has requested it be replaced within a year. Repair parts for the pumps are no longer available. Dave Buck offered the council a task order to provide system specifications for an above ground installation similar to the Main Lift station. Following discussion, Mary Jo Totten moved to approve the task order to study and estimate a new lift station for the Woods Edge force main, not to exceed \$10,400.00. Second of Greg Jones, motion carried with 4 Aye.

### **Clerk-Treasurer**

Mary Jo Totten moved to approve the Register of Claims for July 12 to August 8 in the amount \$936,744.25. Second of Steve Hahn, motion carried with 4 Aye.

The council will meet August 15 at 6:00 p.m. to review revenue and appropriations for the 2023 budget.

Georgia Jones requested a formal motion to approve the Memorandum of Understanding with the Conservancy regarding applications for grants. The original agreement was approved in March however the document was not formally signed. Mary Jo Totten moved to approve the MOU as presented, with second of Greg Jones. Motion carried with 4 Aye.

### **Redevelopment Commission**

Greg Jones moved to adopt Ordinance 2022-618, UZO Amendment #106 for Automotive services. Second of Mary Jo Totten, motion carried with 4 Aye.

Greg Jones moved to adopt Ordinance 2022-617, UZO Amendment # 105 for Zoning Enforcement.  
Second of Mary Jo Totten, motion carried with 4 Aye.

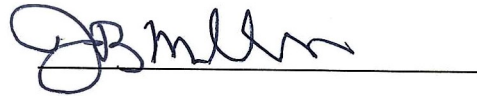
Due to the late hour, the police report and other items are deferred to the next meeting.

Ron Holladay mentioned the recent River Bluffs lift station repairs and significant expense for a vac truck would have been avoided if that unit was equipped with an alarm. He will obtain costs and report to the next meeting, now scheduled for August 15.

Motion to adjourn at 8:09 p.m. by Steve Hahn, with second of Mary Jo Totten.



Georgia Jones, Clerk Treasurer



James Miller, Council President

## Memorandum of Open-Door Law Compliance

Date: August 8, 2022

Time: 6:00 p.m.

Members Present in person: Council President James Miller, Councilors Steve Hahn, Greg Jones, and Mary Jo Totten.

Members Absent: Matt Coppock

Members Present Virtually: none

Also Present in Person: Attorney Eric Burns, Town Supervisor Ron Holladay, Town Marshal Jerry Burk, and Clerk Treasurer Georgia Jones.

Guests present in Person: Dave Buck, Colin Sullivan

Guests attending Virtually: Joe Kline, Dan Gemmecke

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 in black ink and is positioned above a horizontal line.

Georgia Jones, Clerk Treasurer