

TOWN OF CLERMONT
9049 Crawfordsville Road
Clermont, IN 46234
317-291-0394

March 17, 2026

Memoranda of Executive Session

Call to Order @ 6:01 P.M.

This Executive Session was held to discuss eminent domain litigation related to 9046 Crawfordsville Road as permitted by IC 5-14-1.5-6(b)(2)(B).

The following council members, who constituted at least 50% of the members of the council, were present: Councilor Beam, Councilor Lambard, Councilor Lemaire and Councilor Topf, in person, and Councilor Sauro, remotely by Microsoft Teams.

Absent Council Member(s): None

Others present: Clerk Treasurer, Larry Beiter, Attorney Bob Lutz

Guests: None

Public in Attendance: None

Councilor Topf gave some background on the current status of the Eminent Domain case and noted that our legal counsel estimated that we could spend up to an additional \$92,000 in legal fees, expert witness, etc. and related fees in support the case when it heads to court.

The Council and Attorney Lutz discussed the following at length:

- Timing and value of previous appraisals.
- The impacts of the upcoming inspections on our purchase offers.
- History of property valuations and estimates of building condition.
- The Town's maximum allowable cost of property plus repairs and legal fees.
- The schedule for the building inspection.

The Council and Attorney Lutz agreed that we should complete the inspections before making any additional counter-proposals.

Councilor Lambard may be out of Town during the inspections. The Council did not see this as a major issue since we have professional contractors and certified inspectors who will be handling the inspections. He may be able to send an alternate representative in his place. We will communicate with the inspector and contractors before the inspection to help them understand why we are performing these assessments.

We will communicate with Kevin our preference to have the inspection at the end of April to help ensure Tim can attend. We will make a final decision and final offer once inspections complete. We will plan on having another executive meeting on or about May 7th.

Councilor Lambard will confirm that the contractors/inspectors perform all desired verifications, inspections, and tests including a plumbing pressure test.

The Council discussed who would attend during the property inspections. We will need to notify Kevin Koons so he is aware of our plans. We do not want too large a crowd. The Council will be notified of the date of inspection as soon as it is scheduled.

Councilor Topf ended the Executive Session at 7:09 P.M.

The Council only received information concerning ongoing litigation, which is a proper subject of executive session pursuant to I.C. 5-14-1.5-6.1(b)(2)(B), and took no vote on any issue.

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Approve: Town Council

Frank Lemarié
Nicholas Akkan

Kimberly Sarno
L. J. Smith

Attest: Clerk Treasurer

Ann J. Smith