

# MINUTES

DECEMBER 19, 2022

## ROME CITY TOWN COUNCIL PUBLIC MEETING

ROME CITY TOWN HALL  
402 KELLY STREET  
ROME CITY, IN 46784

Nick Heffner called the meeting to order at 6:30pm. All members, Nick Heffner, Kirk Klein and Cheryl Clifton present. Also present, Brenda Conley, Leigh Pranger Paul Hoffman and Attorney Dustin Glick. Also, several on sign in sheet which is attached.

Pledge was said

### **OLD BUSINESS:**

Noble Trail property, rezone

Nick Heffner stated each side, pro and con, will have 20 minutes to speak. Terry Gaff, President of Noble Trails, talked about why Noble Trails is willing to sale off lots on the property they own on the old Limberlost golf course. He would like to subdivide the property. The sale of this property will help support the cost to continue the trail in Rome City area. Noble Trails is contributing \$110,000.00 for the trails in Rome City. Matt Shipman, attorney for Ken Cook, stated he is representing Ken Cook and he and Doug Atz are the interested parties for the lots. Mr. Shipman explained he has seen the pros and cons on this sale. He stated the Cooks would like to build but the house would sit in the back of the property away from any roads. They will be using the alley off Lions Drive to approach their property. Bryan Rider stated he lives across the street from this property on Lions Drive and he does not want a fence that will stop animal for roaming the property and he does not want a fence that is 6-to-8-foot high that will make a terrible view for him. Someone asked if Acres were contacted about buying the property and keeping it wildlife? Terry Gaff stated they were contacted, and they were not interested. Brenda Conley asked why can't anyone put a bid on the lots why is it determined that the Cooks are buying all the property? Terry Gaff said it was for sale when Mr. Peterman owned it but was not sold. Mrs. Lavigne stated no one knew it was for sale after Noble Trails bought it and now Noble Trails already knew who was going to buy it, no one else had a chance to buy. Terry Gaff stated anyone could has bought it when Mr. Peterman owned the property. Someone asked when the trail was going to be done so people do not have to walk on 900 to the other trails. Terry Gaff stated they are working on getting property owners permission. Kirk Klein asked if the driveway going to go over the bike trail on the property now. Terry Gaff stated it might. Kirk Klein stated that was not what was said at the Plan meeting. Kirk Klein stated that Mr. Gaff said the driveway will not go over the trails. Megan Cook stated it might not but there is a possibility that it might. Leigh Pranger stated it was voted on at the Plan Commission and was not a unanimous vote for or against. All of the Limberlost golf course will be sold to Ken Cook then he can sale off the properties. Nick Heffner asked it there were any more questions. There was not. All members stated they have received emails and most of the people were for the sale of the property. Nick Heffner asked for a motion. Cheryl Clifton made the motion to approve the subdivision. Kirk Klein seconded the motion. 3 ayes. 0 nays Motion carried.

### **REZONING LIMBERLOST LANDING**

Leigh Pranger stated she has miscommunication with what is going on at Limberlost Landing, is the road going to be public or private. Also, the property needs to be annexed into the town and sewer connections need to be installed into our system before we can proceed. Leigh stated she and the attorney will need to discuss this with the developer and then the Plan Commission will need a variance to be able to continue. Mark Webb was present and stated right now they would like to develop 4 properties with homes. They would be about 100 feet from the shoreline. They do want to connect to sewer and the road would stay private if possible and they will maintain it. He is not the developer, but he is interested in buying a lot. Also Mr. Webb is one of the members that is buying the property. Leigh stated we will need a motion to return this back to the Plan Commission for their approval and will have it on the town council agenda for February 2023 meeting. Cheryl Clifton made a motion to return this to the Plan Commission and table until February 2023 meeting. Kirk Klein seconded the motion. 3 ayes, 0 nays. Motion carried.

### **STREET GARAGE LOAN & RESOLUTION 2022-05**

Brenda Conley stated that Community State Bank has the best rate for the street garage at 4.57%. Other banks were contacted. It will be for 10-year biannual payments. The loan amount will be \$705,592.00. Brenda stated she has paid Leatherman's Construction \$343,000.00, an invoice was presented from Leatherman's for material that is on site and work that has been as of December 1, 2022. At the November meeting it was stated that we would put down \$319,500.00, but after going over the funds it was decided to take some cost from Public Safety, TIF and Sewer to help with the down payment and to lower the loan amount. All departments in those funds use the street garage. Brenda stated there is a Resolution 2022-05 that states where the payment will be taken out of for the next 10 years. Public Safety \$10,000.00, TIF \$10,000.00, Sewer \$10,000.00 and the rest out of CEDIT. The TIF committee approved of paying \$50,000.00 this year and \$10,000.00 the next 10 years. Nick Heffner asked for a motion to approve Community State Bank and Resolution 2022-05. Cheryl Clifton made the motion to approve resolution 2022-05 and loan for 10 years with Community State Bank and the \$340,000.00 down payment. Kirk Klein seconds the motion. 3 ayes, 0 nays. Motion carried.

### **NEW BUSINESS:**

#### **REGION 3A REP**

Nick Heffner was the rep in 2022 for the town and he will continue for 2023. Cheryl Clifton made the motion to approve Nick Heffner as the rep for Region 3A. Kirk Klein seconded the motion. 3 ayes, 0 nays. Motion carried.

### **NEW ADDRESSES**

Leigh Pranger stated there are 2 new addresses that need approval. Chad Jackson for 911 only 8991 N SR 9, Rome City, IN, this is a pole barn. Earl W. & Regina F. Miller 11036 N 200 E, Rome City, IN new house. Nick Heffner asked for a motion. Cheryl Clifton made the motion to approve. Kirk Klein seconded. 3 ayes, 0 nays. Motion carried.

### **EBERHARD, WEIMER, GLICK ATTORNEYS FOR THE TOWN 2023 REPRESENTATION**

Nick Heffner read the letter from Eberhard, Weimer, Glick attorneys. Brenda Conley stated the cost is the same as 2022. Nick Heffner asked for a motion to accept. Cheryl Clifton made the motion to accept Eberhard and attorneys for 2023. Kirk Klein seconds the motion. 3 ayes, 0 nays. Motion carried.

### **ORDINANCE 2022-12 WAGE AND SALARY FOR 2023**

Nick Heffner presented the ordinance. All members agreed to the raises. Nick Heffner asked for a motion to accept ordinance 2022-12. Cheryl Clifton made the motion to approve Ordinance 2022-12. Kirk Klein seconded the motion. 3 aye, 0 nay. Motion carried.

### **PAID HOLIDAYS FOR 2023**

Nick Heffner read the paid holidays for 2023. Nick Heffner asked for a motion to accept. Cheryl Clifton made the motion to approve the paid holidays, for 2023. Kirk Klein seconded the motion. 3 ayes, 0 nays. Motion carried.

### **BUDGET FOR 2023**

Nick Heffner stated there is no cuts made from the 2023 budget. Cheryl Clifton made the motion to approve. Kirk Klein seconds the motion. 3 aye, 0 nays. Motion carried.

### **LIONS DRIVE DRAIN**

Leigh Pranger stated at the first curve at 403 Lions Drive the cement has lowered at the drain. Eshleman's presented a quote to repair \$5000.00. They will remove and dispose of concrete and old pipe install new 12" pipe and patch the road. The road closure will be the towns responsibility. No other quotes were received. Nick Heffner asked for a motion. Kirk Klein made the motion to repair for \$5000.00. Cheryl Clifton seconded the motion. 3 ayes, 0 nays. Motion carried.

### **DEPARTMENTAL REPORTS:**

**TOWN MANAGER:(SEE ATTACHED)**

**STREET/WASTEWATER: (SEE ATTACHED)**

**TOWN MARSHAL: (SEE ATTACHED)**

Paul Hoffman presented a Liability waiver and indemnity agreement from Wolcottville Police Department to use the gun range. Kirk Klein asked why we don't charge them. Paul Hoffman stated they bring the own equipment they don't use anything that the town has. Nick Heffner asked for a motion to accept the agreement. Cheryl Clifton made the motion to approve. Kirk Klein seconds the motion. 3 ayes, 0 nays. Motion carried.

### **CLAIMS PRESENTED FOR PAYMENT:**

**TOWN FUNDS: \$607,984.63**

**SEWER OPERATING: \$270,835.27**

Nick Heffner asked for a motion to pay the claims. Kirk Klein made the motion to pay claims. Cheryl Clifton seconds the motion. 3 ayes, 0 nays. Motion carried.

Next town council meeting January 9, 2023 at 6:30pm, Rome City Town Hall, 402 Kelly St., Rome City, IN 46784

Nick Heffner asked for a motion to adjourn at 8:00pm. Kirk Klein made the motion to adjourn. Cheryl Clifton seconds the motion. 3 ayes, 0 nays. Motion carried.

ROME CITY TOWN COUNCIL

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Nick Heffner, President

ATTEST:

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Brenda K. Conley  
Clerk-Treasurer