

**Albion Town Council**  
**Tuesday, February 13, 2018, 6:00 pm**  
**Albion Municipal Building**  
**211 East Park Drive, Albion, IN, 46701**

**CALL TO ORDER:** Town Council President Vicki Jellison called the meeting to order at 6:00 pm. The Pledge of Allegiance was recited.

**ATTENDANCE:** Vicki Jellison, President  
Chris Magnuson, Vice-President  
John Morr, Member  
Don Shultz, Member  
Max Weber, Member

**OTHERS:**

Carol A. Selby, Clerk-Treasurer  
Stefen Wynn, Town Manager  
Bill Eberhard, Town Attorney  
Matt Getts, KPC Media  
Terry Forker, Water/Wastewater Depts  
Scott Cole, Police Dept  
Trince Hursey, Police Dept  
David Thieme, Jr, Police Dept  
Casey Myers, Park/Cemetery Depts  
Brian Stimpson, Street/Cemetery Depts  
Bob Amber, Albion Fire Dept  
Brad Rollins, Albion Fire Dept  
Brian Tigner, Albion Fire Dept  
Aaron Knight, Albion Fire Dept  
Shane Coney, Albion Fire Dept  
Mitch Fiandt, Albion Fire Dept  
Rick Aldrich, Albion Fire Dept  
Gregg Gorsuch, Albion Fire Dept  
Bryan Peterson, Albion Fire Dept  
Johna Peterson, Albion Fire Dept  
Bob Brownell, Albion Fire Dept  
Kody Forker, Albion Fire Dept  
Kyler Likes, Albion Fire Dept

Chris Cavanaugh, Albion Fire Dept  
Phil Jacob, Albion Fire Dept  
Chad Geiger, Avilla Fire Dept  
Josh Hale, NHA Township Fire Dept  
Steve Eling, Noble Township Fire Dept  
AJ Hurd, Noble Township Fire Dept  
John Snyder, Ligonier Fire Dept  
Jerry Sprague, Ligonier Fire Dept  
Michael White, Ligonier Fire Dept  
Kirsten Sheley, Ligonier Fire Dept  
Kris Funk, Ligonier Fire Dept  
Cindy Jacob  
Lisa Lock  
Mike Selby  
Bernie Lawson  
Dan Anderson  
David Fiandt  
Luana Walker  
Keith Kline  
Robert Bair, EMA  
Kathy Knight  
Bill Etzler, ERI

**APPROVAL OF MINUTES:** Minutes from the regular meeting on January 23, 2018 and executive meeting on February 6, 2018 were approved. Motion made by Weber, seconded by Shultz, carried 5 Ayes, 0 Nays.

**ANNOUNCEMENTS:**

Town Council Vice-President Chris Magnuson thanked all those that have helped with snow removal this season.

**OPEN DISCUSSION: NONE**

**OLD BUSINESS:**

**1. Albion Fire Auxiliary – Proposed Contract**

Town Council President Vicki Jellison welcomed those in attendance. She acknowledged concerns regarding the matter at hand, and said the desired outcome is to reach common ground as a team. She said the ultimate goal is to do what is best for the citizens of Albion and surrounding communities. She said we strive to make Albion a great place to work, live, and play. Jellison reported an ad hoc committee met last Thursday, February 8, 2018 with fire department representatives to begin discussions. She said there are too many questions and unknowns at this point but we are committed to continue discussions with our fire department to find an amicable and equitable solution.

Town Attorney Bill Eberhard said he reviewed the contract and met with the committee when they had their meeting. He advised at that meeting, and said he would advise the board now, that in reviewing the proposed contract and supporting documents that he cannot recommend the board sign that contract. He said he does not believe the contract is in final form, and doesn't believe it has sufficient safeguards to protect either the fire department or the town, and it would be an improper exercise of power to execute it. He said there is a multitude of ways to address this, noting there are a lot of different things that can be explored and probably should be to make sure the right steps are taken. He said there needs to be clarification on some sort of Chain of Command. Likewise, there needs to be an understanding of how things are going to work, and the underlying entities have to be legally sufficient to support the function that they are trying to perform. At this point in time, those things are not in place, and as such, he cannot recommend signing. He said after the fire chief has his meeting with the firefighters, he recommends a committee including the fire chief, town manager, council and firefighter representatives meet to discuss and address the issues and come back with a recommendation to the board for the best way for everyone to move forward.

Jellison then asked for comments from council members. Don Shultz expressed his appreciation to those in attendance and said you are here because you care about our town and the safety and well being of our citizens, police, firefighters, and first responders that serve us. He said as council, they also care about the safety and well-being of our citizens, police, firefighters, and first responders. He said in recent days and weeks there have been materials circulated around town and on Social Media that is concerning to you as citizens, and us as council members. Shultz said he has prepared several questions to ask members of the Albion Fire Auxiliary's Contract Committee on behalf of citizens during future discussions. Shultz said we all have the same passion for the Town, it's just how we get there.

Jellison asked if anyone else, including members of the audience would like to speak. Aaron Knight, speaking on behalf of the Albion Fire Auxiliary, said they acknowledge they are in negotiations with the Council and want to proceed forward and hopefully get an amicable agreement. He said they do have a lot of concerns, and want to be fairly represented in those concerns. He said he wanted to dispel a rumor that their attempted arrangement with the Council has nothing to do with the township trustees, it's strictly with the council. Town Attorney Bill Eberhard said one of the things that needs to be worked out is how the townships will be taken care of as part of the contract between us. Eberhard said it's important to have that built into the arrangement.

Fire Chief Bob Amber asked the board to recognize Phil Jacob for 50 years of service. On Monday, February 19, 2018 Jacob will be recognized at the State House in Indianapolis for his 50 years of service to the Albion Fire Department. Amber attributed Jacob's involvement with public education programs on fire safety and prevention as a likely reason the loss of life numbers are so low in Albion and Noble County. Everyone in attendance honored Jacob with a standing ovation.

Jellison opened the floor, providing the opportunity for anyone else in attendance to speak. There were no additional comments from the public. Council then voted to approve a recommendation by Town Attorney Bill Eberhard to establish a committee consisting of the Fire Chief, Town Manager, Council and Firefighter representatives. Weber motioned to appoint Fire Chief Bob Amber, Town Manager Stefen Wynn, Council members Don Shultz and John Morr, along with members of the fire department to serve as a Study Group tasked with developing a recommendation for future consideration by the Albion Town Council. Magnuson seconded, carried 5 Ayes, 0 Nays.

## **2. Update on Design Engineering for Wastewater Lagoon Ammonia Treatment**

A contract has been signed with Wessler Engineering. Its anticipated representatives from Wessler will be scheduling a meeting with the Wastewater Department soon. Council members will receive a copy of the executed agreement which includes a timeline.

### **NEW BUSINESS:**

#### **1. Approval of Golf Cart, ORV Ordinance No. 2017-21 – 2<sup>nd</sup> Reading**

Weber noted he spoke with resident Scott Applegate who had previously expressed concerns regarding some of the provisions of the ordinance. Weber said Applegate is now okay with the proposed ordinance. The amendments mirror state statutes regarding brake lights, color of lights, turn signals, and headlights. Council voted to approve the ordinance on its second reading as follows.

#### **Second Reading**

Magnuson caused Ordinance No. 2017-21, An Ordinance Allowing Golf Carts and Other Off-Road Vehicles on the Streets Under the Jurisdiction of the Town of Albion, to

be read for a second time by title only, and motioned to approve the adoption of the ordinance on its second reading, seconded by Weber, carried 5 Ayes, 0 Nays.

**2. Consideration of committee recommendation for design engineering for 2018 Paving Projects**

Council voted to approve the committee's recommendation to hire Fleis & Vandenbrink Engineering, Inc (F&V) as their first choice to provide design engineering services for several proposed paving and storm water improvement projects, and DLZ as the committee's second choice if an agreement cannot be reached with F&V. Motion made by Weber, seconded by Shultz, carried 5 Ayes, 0 Nays. Committee members used a Qualifications Based Selection Process to assess and score proposals from five engineering firms. F&V quoted \$130,660. The cost will be split between multiple funds.

**3. Consideration of Quotes for Cemetery Mower – Casey Myers**

Council voted to approve the purchase of a 2018 Grasshopper 725DT Mower with bagger from the lowest most responsive and responsible bidder, Vangorder Sales, Inc. for \$15,949.00. Motion made by Shultz, seconded by Morr, carried 5 Ayes, 0 Nays. Cemetery Funds are appropriated for the purchase. Quotes were also received from Outdoor Concepts Inc, Weaver Ag & Lawn Equipment LLC, and Heckley Auto & Diesel Serv Inc. Truelove Brothers did not have a rear discharge mower available and as such, declined to quote. The department's 2010 Woods mower will be included in a list of items for future disposal by the town.

**4. Region 3a Board of Directors Appointment**

Council members voted to reappoint Town Manger Stefen Wynn to the Region 3a Board of Directors. Motion made by Weber, seconded by Magnuson, carried 5 Ayes, 0 Nays.

**5. Approval of Cemetery Deeds**

Council members voted to approve the following Cemetery Deeds. Motion made by Weber, seconded by Magnuson, carried 5 Ayes, 0 Nays.

- a. Steven E. & Sandra S. Lemish – Section M, Lot 72, Graves 3&4.
- b. Tawnya S. & Kenneth W. Lemish – Section M, Lot 94, Graves 3&4.
- c. Jerry & Connie Frymier – Section H, Lot 71, North Pathway.
- d. Kolten Bode – Section M, Lot 165, Grave 4.

**DEPARTMENT HEADS:**

**Park/Cemetery Departments – Casey Myers**

Council acknowledged receipt of department's monthly report. Myers provided an update on projects including the S.T.A.R. Team Chess/Checkers set, Shade Structure, and water line to Valley View maintenance building. Tracy and Lori Cooper of Cooper's Trenching will be donating their services to install a water line. Myers expressed appreciation for their continued support. Mowing positions are available. Those interested are encouraged to apply. It was noted a committee tasked with making decisions regarding Rose Hill Cemetery needs to schedule a time to begin meeting.

**Street/Cemetery Departments – Brian Stimpson**

Council acknowledged receipt of the department’s monthly report. Stimpson thanked the Water, Parks, and Police Departments for their help with snow removal this season. The department will begin work on streetlight poles once the weather and work schedules allow. Weber asked about tree trimming/removal and replacement, noting anything we can do to make the town look more inviting as people are driving through.

**Water/Wastewater Departments – Terry Forker**

Council acknowledged receipt of the department’s monthly report. Council gave approval for Forker to prepare an RFQ for painting the exterior of the water tower off of South Park Drive. It’s been 13 years since the exterior was painted. Morr asked about the possibility of using updated methods of technology to check lift stations remotely instead of having to pay labor costs to have them inspected daily. Forker said it might save ½ an hour per day. However, it is unclear if the cost of the technology versus the cost of labor would deem it advantageous. Forker said he would like to retire a lift station located off of North Orange Street and another lift station off of 150 E. However, Forker said his priority right now is finding a solution for ammonia treatment at the wastewater ponds.

**APPROVAL OF ACCOUNTS PAYABLE & PAYROLL VOUCHERS:**

After discussion, Magnuson motioned to approve Payroll and Accounts Payable Vouchers as of February 1, 2018 & February 13, 2018, seconded by Weber, carried 5 Ayes, 0 Nays, submitted and reviewed, attested by Carol A. Selby.

**ADJOURNMENT:** There being no further business to be brought before the council in regular session, Magnuson motioned to adjourn the meeting at 6:45 pm, seconded by Weber, carried 5 Ayes, 0 Nays. The next regularly scheduled meeting is to be held on February 27, 2018 at 6:00 pm, at the Albion Municipal Building, 211 East Park Drive, Albion, IN.

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VICKI E. JELLISON, PRESIDENT

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CHRISTINA K. MAGNUSON, VICE-PRESIDENT

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JOHN D. MORR, MEMBER

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DONALD J. SHULTZ, MEMBER

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MAX C. WEBER, MEMBER

ATTEST: \_\_\_\_\_  
CAROL A. SELBY, CLERK-TREASURER