

Albion Town Council
Tuesday, February 25, 2020, 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
Don Shultz, Vice-President
Chris Magnuson, Member
Darold Smolinske, Member
John Morr, Member

OTHERS: Carol A. Selby, Clerk-Treasurer
Tena, Woenker, Town Manager
Steve Clouse, Town Attorney
Sheryl Prentice, KPC Media
Scott Cole, Police Dept
Bob Amber, Fire Dept
John & Kim Harris
Lori Gagen
Kenneth Hughes
Stephen Liebke

APPROVAL OF MINUTES: Minutes from the Regular Meeting on February 11, 2020 and Executive Session February 19, 2020 were approved. Motion by Magnuson, seconded by Smolinske, carried 5 Ayes, 0 Nays.

PUBLIC HEARING: Alley Vacation – Co-Applicants John & Kimberly Harris
Town Council President Vicki Jellison called the public hearing to order at 6:02 pm. Petitioners John A. Harris and Kimberly S. Harris were present to answer questions regarding their request to vacate a platted public way (a section of undeveloped alley off of East South Street). Town Attorney Steven Clouse explained the process for this vacation was initiated last year and received a favorable recommendation by the Albion Plan Commission. However, during the process it was discovered a deed had not been recorded, creating some technical issues that needed addressed. The petitioners hired Ryan C. Weber, Lakewood Surveying, LLC to conduct a survey and certify the location. Now that a survey has been completed, the deed recorded, and an Ordinance prepared, the petitioners resubmitted the application for council consideration. Jellison asked for public comment. There being none, and no objections to report, Jellison closed the hearing for public comment and opened the floor for council discussion. It was noted there is a utility easement on the property, and no permanent structures are allowed. Mr. Harris said he plans to use the area for storage. After discussion, Jellison adjourned the hearing and proceeded to consideration of Ordinance No. 2020-02.

Consideration of Ordinance No. 2020-02 – 1st & 2nd Readings/Final Adoption

After discussion, and acting on the recommendation from the Plan Commission, Council voted to approve Ordinance No. 2020-02, *An Ordinance Vacating a Public Way or Place, To-Wit: Twenty-Foot-Wide Undeveloped Public Way Located Between Lots 5 & 6 in Kimmel's Subdivision to Out Lot #11 in Harvey's Addition to Albion* on its first and second readings as follows.

First Reading

Shultz caused Ordinance 2020-02, to be read for the first time by title only, *An Ordinance Vacating a Public Way or Place, To-Wit: Twenty-Foot-Wide Undeveloped Public Way Located Between Lots 5 & 6 in Kimmel's Subdivision to Out Lot #11 in Harvey's Addition to Albion*. Shultz motioned for approval of the ordinance, seconded by Morr, carried 5 Ayes, 0 Nays.

Second Reading

Shultz motioned to suspend the rules to allow for the reading of the Ordinance for a second time by title only, seconded by Magnuson carried 5 Ayes, 0 Nays. Shultz then caused the ordinance to be read a second time by title only and motioned to approve the adoption of the ordinance on its second reading, seconded by Magnuson, carried 5 Ayes, 0 Nays.

OTHER COMMENTS: Council member John Morr noted it has become common practice for council to suspend the rules and allow for 1st and 2nd readings of Ordinances to occur in the same meeting. He recommended making that the exception, instead of normal practice in order to allow more time for public comment. Other council members agreed. So, in situations where time is not of the essence, readings are to be spread over more than one meeting as it's believed the town's policy was intended.

ANNOUNCEMENTS:

1. **Avilla Hometown News** – Magnuson reported Kevin Kelly is no longer covering Town council meetings because the Avilla Hometown News is no longer in business.
2. **Courthouse Square Preservation Society** - Shultz reported the organization's Annual Meeting will be held March 7, 2020.

OPEN DISCUSSION:

Augusta Hills Learning Center – Jellison reported she signed a letter of support for the new community center on behalf of the Town.

OLD BUSINESS:

W Hazel Street Project – Town Manager Tena Woenker provided an update on the progress on W Hazel Street. Pulver is hoping to be done in two weeks, weather permitting. Additional drainage work is expected to be less than originally quoted. The quote was based on running 80 feet of storm pipe. However, less material is needed since a recently discovered existing storm drain can be used. Woenker is working on finding someone to provide As-builts on the project in response to inquiries from INDOT

since the original design engineers are no longer involved in the project. Woenker authorized an ADA pad to be installed at the alley by the Post Office for a slight upcharge. She also reported Pulver will install a small section of residential sidewalk that was removed during the County's drainage project at no additional cost to the town or property owner.

NEW BUSINESS:

1. Resolution & Letter of Intent for OCRA Stellar Designation

Lori Gagen and Kenneth Hughes were present to provide information regarding making application to OCRA for Stellar Designation. They explained that while there is significant enthusiasm for the endeavor, realistically more time is needed to get all potential entities in the county on board with the application process. Instead of applying this year, plans now are to apply next year in 2021. As such, this item was tabled.

2. & 3. Approval of Quote & Invoice

Council voted to approve both of the following items. Motion made by Morr, seconded by Shultz, carried 5 Ayes, 0 Nays:

a.) Quote for \$25,305 for drainage & curb work on W Hazel Street

Pulver Asphalt Paving, Inc in the amount of \$25,305 for drainage and curb work on W Hazel Street. The RDC approved using TIF #1 funding (Appropriation No. 526 31100 41500) to cover the cost of the work. (The actual cost is expected to be less since discovery of an existing storm drain that can be used, reducing the amount of pipe needed.)

b.) Invoice for \$17,591.58 for concrete work on W Hazel Street

Council voted to approve an Invoice from Pulver Asphalt Paving, Inc in the amount of \$17,591.58 for concrete replacement completed on W Hazel Street after drainage work done by the County was completed. The RDC approved using TIF #1 funding (Appropriation No. 526 31100 41500) to cover the cost of the work.

4. Consideration of Quote for \$26,700 for Storm Sewer Repair on Trail Ridge Rd

Council tabled consideration on this quote until the following concerns are addressed:

- a.) Confirmation from department heads as to whether or not they believe this will resolve the sink hole problem.
- b.) Clarification from the contractor, J.J.P. Corporation Excavating & Demolition as to whether or not this is a "Not to Exceed" amount, or if it's anticipated more work and subsequent expense might be necessary.
- c.) Response from Redevelopment Commission on request to fund the project with TIF #2 Funds.

5. Outstanding Warrants

Council voted to approve receipting outstanding checks back into the funds from which they were originally drawn (General Fund = \$1,749.73; Water Fund = \$371.55; Sewer Fund = \$0.04). Motion by Morr, seconded by Shultz, carried 5 Ayes, 0 Nays.

DEPARTMENT HEADS:

Fire Dept

Council acknowledged receipt of the monthly report. Fire Chief Bob Amber reported once proper permits are secured, firefighters will receive training at a vacant house. He reported receiving a donation from the Noble County Community Foundation's Lemmon-Rupert Fund. Several hand held extraction tools for the rescue truck were purchased with the funds. The department also received a donation of hose for use in fighting grass fires. The new grass truck is scheduled for pick up from the dealership in Connersville next week. It will then be scheduled to have equipment installed by CopsGear. Amber will be getting with Woenker for assistance with updating a Capital Improvement Plan for the Fire Department.

Police Dept

Council acknowledged receipt of the monthly report and scorecard. Town Marshal Scott Cole reported officer hours may be up due to their required attendance at upcoming hearings. As IT Director, Cole has been busy updating town computers to Windows 10 and preparing for a software migration in the clerk-treasurer's office from Komputrol to Keystone. The new Dodge Durango is getting closer to being ready. The evidence room expansion is finished and working out well.

Town Manager

Council acknowledged receipt of the monthly report. The barge for the wastewater ponds is scheduled to be delivered soon. Warranty work at the ponds on the Ammonia Project hasn't been completed yet. A meeting with Wessler, design engineers for the project is planned for next week to discuss possible solutions for reducing elevated ammonia levels. In regards to the condition of the railroad crossing, someone from the railroad came to inspect the issue, but it hasn't been fixed yet. Council discussed the possibility of creating a storm water utility. Morr asked about a drainage issue that may have inadvertently been caused by redirected storm water from the W Hazel Street Project.

OTHER COMMENTS:

1. **Time off** – Town Council President Vicki Jellison will be out of town from March 4th - 7th and asked that Vice President Don Shultz address issues in her absence.
2. **Compensable Work Hours** - The Hiring Committee (John Morr, Chris Magnuson, and Tena Woenker) met to discuss implementing a policy that would allow certain employees to be compensated for working from home. Woenker is waiting for feedback from the town's Human Resource Consultant, and drafter of the town's Employee Handbook, New Focus HR, LLC, for input in drafting such a policy, and for clarification regarding the town's existing Flex and Comp time policies.

APPROVAL OF ACCOUNTS PAYABLE & PAYROLL VOUCHERS:

After discussion, Shultz motioned to approve, Accounts Payable and Payroll Vouchers as of February 13, 2020 and February 25, 2020. Seconded by Magnuson, carried 5 Ayes, 0 Nays, submitted and reviewed, attested by Carol A. Selby.

ADJOURNMENT: There being no further business to be brought before council in regular session, Jellison adjourned the meeting at 7:38 pm. Motion made by Morr, seconded by Magnuson, carried 5 Ayes, 0 Nays. The next regularly scheduled meeting is to be held on March 10, 2020 at 6:00 pm, at the Albion Municipal Building, 211 East Park Drive, Albion, IN.

VICKI E. JELLISON, PRESIDENT

DONALD J. SHULTZ, VICE-PRESIDENT

CHRISTINA K. MAGNUSON, MEMBER

JOHN D. MORR, MEMBER

DAROLD R. SMOLINSKE, MEMBER

ATTEST: _____
CAROL A. SELBY, CLERK-TREASURER