

**Albion Town Council
Tuesday, May 24, 2016, 6:00 pm
Albion Municipal Building
211 East Park Drive, Albion, IN, 46701**

CALL TO ORDER: Town council president John Morr called the meeting to order at 6:00 pm. The Pledge of Allegiance was recited.

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

OTHERS: Carol A. Selby, Clerk-Treasurer
Stefen Wynn, Town Manager
Mike Yoder, Town Attorney
Matt Getts, KPC Media
Brad Rollins, Fire Dept
Mark Tarlton, Street/Cemetery Depts
Terry Forker, Water/Wastewater Depts
Trince Hursey, Police Dept
Shane Coney, Fire Dept
Marilyn Emmert
Bill Emmert
Cody Kirkpatrick
Bev Fitzpatrick

APPROVAL OF MINUTES: Morr asked for approval of the minutes from the regular meeting on May 10, 2016. Jellison motioned to approve the minutes, seconded by Shultz, carried 5 Ayes, 0 Nays.

ANNOUNCEMENTS:

1. Redevelopment Commission (RDC) Appointment

Town council president John Morr appointed Justin Diehm to fulfill the remaining term of Duane Simpson. Diehm's first RDC meeting will be on June 8th and his term expires January 1, 2017.

2. Nuisance property – 414 N Oak Street

Town manager Stefen Wynn reported the county building inspector issued a letter regarding the condition of a house at 414 N Oak Street. The property owner will be notified regarding ordinance violations.

3. Relay for Life

Town council member Chris Magnuson reported event organizers were very appreciative of the town and town employees for help during this year's fundraising event which was held downtown around the courthouse.

4. Digital meeting materials

Morr said this was the first meeting council members received nearly all meeting materials electronically as opposed to paper. He noted it may take a while for council members to become acclimated.

OPEN DISCUSSION: NONE

OLD BUSINESS:

1. Repeal ordinance regarding house trailers. Town will follow zoning ordinance

This topic was postponed to a future meeting. Motion made by Magnuson, seconded by Shultz, carried 5 Ayes, 0 Nays.

2. Income Surveys

Town council member Max Weber said he could use help going door-to-door to gather the remaining income surveys needed. Morr said he will help.

3. Railroad Signs

The wrong signs were originally sent. The work is tentatively scheduled for next week.

NEW BUSINESS:

1. Consideration of proposal to erect a recreational facility – Marilyn Emmert

Council members heard a request from Marilyn Emmert for proposed construction of a recreational facility. She would like a facility that offers a track for walking and offers activities focused on a demographic over 18 years of age. Mrs. Emmert has formed a committee and is researching options. She prefers locating the facility at Hidden Diamonds Park. She presented her request to the park board at the May 9, 2016 park board meeting. Park board members Cody Kirkpatrick and Bev Fitzpatrick were present and both expressed enthusiasm about the idea of a recreational facility. However, they acknowledged the park's department does not have sufficient funds to construct, operate, and maintain such a facility. Mrs. Emmert acknowledged the lack of funding and said the committee is estimating they would need to raise \$900,000 to construct the facility and set up an endowment fund to operate and maintain the facility. Mr. and Mrs. Emmert are willing to donate \$100,000 towards the project. Mrs. Emmert has contacted Noble County Community Foundation about handling the contributions. The town attorney, town manager, and council members offered suggestions on ways the committee might partner with other organizations. Council members took the matter under advisement. Town council member Don Shultz volunteered to serve on the committee.

2. Noble REMC Meeting Voting Affidavit – Designate voting delegate

By consensus, council designated Albion Deputy Marshal Trince Hursey as the town's voting delegate for the Noble Rural Electric Membership Cooperative's annual election of consumer directors at their Annual Meeting on June 4, 2016.

3. Approval of Resolution 2016-10 – Budget Cuts/Transfers

Council voted to approve Resolution 2016-10, motion made by Magnuson, seconded by Shultz, carried 5 Ayes, 0 Nays. The resolution authorizes the clerk-treasurer and town manager to make cuts/transfers to the 2016 and/or 2017 departmental budgets as necessary.

4. Approval of Resolution 2016-11 – Amendment to Nepotism Policy

After discussion, Council voted to approve Resolution 2016-11, A Resolution for compliance with HEA 1005 entitled Conflict of Interest and Nepotism to Amend Resolution 2012-07. Motion made by Magnuson, seconded by Weber, carried 5 Ayes, 0 Nays. The amendment allows for the employment of relatives of current employees and council members, so long as there is no direct line supervision existing between the related employees. It was noted the ordinance follows state statutes regarding nepotism. Volunteer firefighters and/or police reserve officers are exempt from this provision. The amendment also defines "direct line of supervision" and clarifies that it takes a majority of council members to make work assignments, compensation, grievances, advancement or a performance evaluation. Council may act collectively on the recommendation of a committee. The resolution is effective immediately.

5. Adoption of Ordinance 2016-12 - LOIT Special Distribution – 1st & 2nd Readings

As per Senate Enrolled Act (SEA) 67, the town received a one-time Special Distribution in the amount of \$156,158.27. A minimum of 75% of these funds are required to be used exclusively for infrastructure per IC 6-3.6-9-17(h)(1)(A). A separate fund (257) was set up for deposit of these funds. Council voted to approve Ordinance 2016-12 on its first and second readings as follows.

First Reading

Weber caused Ordinance 2016-12, *An Ordinance Creating Fund 257, LOIT Special Distribution Fund*, to be read for the first time by title only. Weber made a motion for adoption of Ordinance 2016-12 as read, seconded by Jellison, carried 5 Ayes, 0 Nays.

Second Reading

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

Council members agreed with a recommendation by Clerk-Treasurer Carol Selby to deposit 100% of the funds into the "LOIT Special Distribution Fund" (Fund 257). The funds are earmarked for infrastructure improvements, including the Map-21 West Main Street Project. Appropriations for this fund are to be included with the 2017 Budget.

6. Approval of 3-Year CEDIT Capital Improvement Plan

Council voted to approve a 3-Year Capital Improvement Plan for January 1, 2017 – December 31, 2019. The plan specifies the uses to be funded with revenues from County Economic Development Income Tax (CEDIT) Funds in conformance with IC 6-3.5-7. Estimated appropriations for the 3-year plan period include: 2017 - \$207,893; 2018 - \$210,423; 2019 - \$213,016. Motion was made by Weber, seconded by Shultz, carried 5 Ayes, 0 Nays. Note: A Resolution designating CEDIT appropriations for 2017 will be considered at a later date (Reference 2016-13).

7. Consideration of Sidewalk Quotes

Town manager Stefen Wynn reported a solicitation for bids was advertised in (7) seven area newspapers and (10) contractors were directly solicited for quotes on this year's sidewalk projects. Two sealed quotes were received. Council members voted to take the quotes from Gary Edsall Construction and Pulver Asphalt Paving, Inc under advisement. Motion made by Magnuson, seconded by Shultz, carried 5 Ayes, 0 Nays. The quotes will be reviewed and a recommendation made at the meeting on June 14, 2016.

8. Consideration of Quotes for a tornado siren

In an attempt to address complaints about difficulty hearing tornado sirens while patrons are inside Dairy Queen and Albion Village Foods, council considered quotes for the possibility of adding an additional tornado siren. After lengthy discussion, Council voted to put off a decision to add an additional siren until next year. Motion made by Weber, seconded by Shultz, carried 3 Ayes, 2 Nays per Magnuson and Jellison. Quotes for three different options from ERS were considered, and ranged from relocating one of the town's old stationary sirens to purchasing a new 360 degree rotating siren. Concerns about cost, and uncertainty over what type of siren would best improve coverage were discussed. A representative from ERS measured the decibel output of sirens during recent testing and found the sirens to be within the anticipated and acceptable 70 decibel range within the targeted area. It was noted volume on a television can register 76 decibels and a train whistle can be in the 90+ decibel range, making it difficult for people to hear sirens while inside. Because of this, it is unclear as to whether another siren will serve to improve the audibility of a warning signal. However, it was suggested an old siren, not currently in use but located on a pole at Rose Hill Cemetery, be taken down and tested for possible relocation near the problem area.

9. Consideration of Quotes for Trailer for mini excavator

Council voted to table this topic until the next meeting on June 14, 2016. Motion made by Weber, seconded by Jellison, carried 5 Ayes, 0 Nays. Wynn reported the State Board of Accounts was notified and stated they would not take exception to the town trading in the old, wheeled excavator for a trailer to haul the new mini excavator and other town equipment. Quotes will be considered at the next meeting.

10. Consideration of Quotes for Paint Striper

Wynn is having difficulty finding vendors that sell this type of equipment. As such, this topic was tabled until a future meeting.

11. Discussion regarding Spring Cleanup – Max Weber

The cost for this year's Spring Cleanup was \$11,693.60 which was nearly double the average cost. Total tonnage was 98.11. Last year's tonnage was 65.36. It was noted some places had enormous piles, and some had several televisions while others had construction-type material. Council members discussed options to help reduce future costs. Discussion included doing away with curbside service, restricting what items will be picked up, engaging the Northeast Indiana Solid Waste Management District to help with recycling electronics, and opting for stationary dumpsters for residents to drop off items. After discussion, council consensus seemed to lean toward continuing curbside service next year, but restrict items that would be picked up, and possibly schedule a drop off site for recycling electronics prior to Spring Cleanup.

12. Courthouse Square Preservation Society – Request for funds - Don Shultz

Council voted to approve a request by Don Shultz, Courthouse Square Preservation Society, Inc to provide \$500 in funding assistance to help pay for fountain area flowers, summer maintenance, and fountain closing in the fall. Motion made by Weber, seconded by Jellison carried 4 Ayes, 1 Abstention per Shultz. CEDIT appropriations will be used for the expenditure. It was noted Noble County Commissioners, the Albion Township Trustee, and the Courthouse Square Preservation Society are all contributing toward the cost of approximately \$2760.00.

DEPARTMENT HEADS:

Brad Rollins, Fire Dept

Rollins provided a summary, and answered questions on the fire dept's monthly report. The Annual Fish Fry fundraiser is scheduled for June 8, 2016, 5:30pm – 7:00pm at the fire station. In conjunction with this year's Chain O' Lakes Festival, this year's parade will include a New York fire truck that was on the scene of the 911 terrorist attacks at the World Trade Center. The truck will be at the fire station and offers items for sale in conjunction with their fundraising efforts.

Terry Forker, Water/Wastewater Depts

Council acknowledged receipt of the monthly report. Forker asked for help from the fire department in recording water usage. The water department is required to complete a water loss report and needs to account for discrepancies between the amount of billed usage and total amount of water used. Rollins said it is easier to estimate rural water usage than to estimate when hooked to a fire hydrant in town.

Mark Tarlton, Street/Cemetery Depts

Council acknowledged receipt of the monthly report. The street department has been working on repairing streets with the Total Patcher. Roofs at the Albion Municipal Building and Noble County Economic Development Corp were leaking and have repaired.

APPROVAL OF ACCOUNTS PAYABLE & PAYROLL VOUCHERS: After discussion, Magnuson motioned to approve Accounts Payable and Payroll Vouchers as of May 12, 2016 and May 24, 2016 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, Morr asked for a motion to adjourn the meeting at 8:28 p.m., so moved by Weber, seconded by Shultz, carried 5 Ayes, 0 Nays. The next regularly scheduled meeting is to be held on June 14, 2016 at the Albion Municipal Building, 211 East Park Drive, Albion, IN.