

Albion Town Council
Tuesday, June 13, 2017, 6:00 pm
Albion Municipal Building
211 East Park Drive, Albion, IN, 46701

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

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

OTHERS: Carol A. Selby, Clerk-Treasurer
Stefen Wynn, Town Manager
Bill Eberhard, Town Attorney
Matt Getts, KPC Media
Shane Coney, Fire Dept
Brad Rollins, Fire Dept
Casey Myers, Park/Cemetery Depts
Brian Stimpson, Street/Cemetery Depts
Terry Forker, Water/Wastewater Depts
Scott Applegate
Mitch Hansel, Fleis & Vandenbrink
Jeremy Sponseller, Triad Associates, Inc

APPROVAL OF MINUTES: Weber asked for approval of the minutes from the regular meeting on May 23, 2017 and the Special Meeting on May 31, 2017. Magnuson motioned to approve the minutes, seconded by Jellison, carried 5 Ayes, 0 Nays.

PUBLIC HEARING:
Re-establishing a Cumulative Capital Development Fund Under IC 36-9-15.5
Reference Ordinance No. 2017-09 – 1st and 2nd Readings

The public hearing was called to order at 6:01 pm (Motion made by Morr, seconded by Shultz). Council president Max Weber asked for public comment. Wynn provided an explanation of the re-establishment process and noted the proposed rate would not exceed .05 per \$100 of assessed valuation. There being no further comment, Weber closed the public hearing at 6:04 pm and opened the floor for discussion between council members. Council then voted to adopt Ordinance No. 2017-09 on its 1st and 2nd Readings as follows.

First Reading

Jellison caused Ordinance 2017-09 to be read for the first time by title only. *An Ordinance Re-establishing a Cumulative Capital Development Fund Under Indiana Code 36-9-15.5.* Magnuson made a motion for approval of Ordinance 2017-09 as read, seconded by Jellison, carried 5 Ayes, 0 Nays.

Second Reading

Jellison motioned to suspend the rules to allow for the reading of the ordinance for a second time, seconded by Magnuson, carried 5 Ayes, 0 Nays. Jellison then caused Ordinance 2017-09 to be read for the second time by title only. *An Ordinance Re-establishing a Cumulative Capital Development Fund Under Indiana Code 36-9-15.5.* Magnuson made a motion for adoption of Ordinance 2017-09 as amended, seconded by Jellison, carried 5 Ayes, 0 Nays.

ANNOUNCEMENTS:

Chain O' Lakes Festival - Council member Vicki Jellison expressed gratitude toward the Chain O' Lakes Festival Committee for a wonderful and successful festival last week. Council member Chris Magnuson thanked town employees for their help with the festival.

OPEN DISCUSSION:

1. **Income Survey** – An email was sent to Region 3a asking for a status update on the town's Income Survey- no response was received yet.
2. **Water Main Replacement Project** – Wynn met with representatives from Crosby Excavating to discuss specific issues with finish work for the water main replacement project. Deadline for completion of finish work is June 30, 2017.
3. **Ordinance Violations** – Jellison asked about code enforcement for high weeds, grass, etc. Council instructed Wynn to proceed with filing a lien on a property at 509 N York Street. Previously, and at the town's expense, a house was demolished at this location and the current owner of record is not maintaining the property in accordance with town ordinances.
4. **Fire Department Mutual Aid** – Referencing a recent article in the Albion New Era, which indicated response times may suffer due to staffing shortages, Magnuson asked fire chief Brad Rollins how those situations are handled. Rollins said the department has Mutual Aid agreements with other departments that help to provide coverage during staffing shortages.

OLD BUSINESS:

Consideration of Quotes for replacing Windows/Doors at Water Plant

Wynn reported RFQs were sent to (2) area builders associations and directly to (5) individual vendors for replacing doors and (16) windows at the water plant. Two quotes were received. After discussion, council voted to approve the quote from the lowest most responsive, and responsible bidder, Leatherman Construction for \$31,612. Motion made by Jellison, seconded by Shultz, carried 5 Ayes, 0 Nays. One other quote was received (Milestone Construction - \$38,229.) It was noted both bidders met, or exceeded the minimum specifications for physical security of water utilities as per DHS, ASCE, and AWWA guidelines. Magnuson said that in the future, she would like the price comparison form to list all vendors that were asked to quote, even if they declined to quote to document that at least three vendors were solicited. Wynn said he can forward council email correspondence listing the vendors solicited for this RFQ.

NEW BUSINESS:

1. Community Crossings Grant Application – Mitch Hansel, Fleis & Vandenbrink

Mr. Hansel was present to provide information regarding preliminary engineering for proposed street and sidewalk projects. Street superintendent Brian Stimpson provided a list of proposed projects. After discussion, Magnuson motioned to proceed with the projects as presented by Brian Stimpson and Mitch Hansel and approve submitting a Community Crossings Grant Application to INDOT for consideration. Seconded by Jellison, carried 5 Ayes, 0 Nays. Town attorney Bill Eberhard will be reviewing the location of proposed projects to determine what percentage of TIF #1 Legacy Bond proceeds may be allocated for the town's 25% local match. It was noted the town can also use LOIT Special Distribution funds, Street MVH, and Local Road & Street Funds towards the projects. A fiduciary letter specifying the funds to be used for the town's local match is required to be submitted with the grant application.

2. Comments regarding All-Terrain Vehicles (ATVs) – Scott Applegate

Mr. Applegate, 404 N Oak Street, was present and requested council members remove ATVs from Ordinance 73.04 and include their use in the town's Golf Cart ordinance (Ordinance 2009-09). Discussion centered around state, county, and local laws governing use of ATVs. Town attorney Bill Eberhard said he recommends either the town prohibit ATV use, or allow it by incorporating it into the town's golf cart ordinance. After discussion, it was determined the Parking & Traffic Committee will address the issue, and present a proposal to council at a later date. In the meantime, and due to some conflicting language with the town's existing ordinance, Wynn will talk with Town Marshal Tom Lock to come up with an interim plan pertaining to enforcement.

3. Consideration of Quotes for Banners/Brackets

Wynn reported an RFQ was sent to (16) different vendors to obtain Banners and Brackets for installation on downtown streetlights. Five vendors submitted quotes that met, or exceeded minimum specifications. After discussion, council voted to approve Wynn's recommendation to accept the quote from Zane-Williams for \$4,127 for (20) 30" x 60" Banners, digitally printed on poly-canvas and (20) channel-lock style brackets. Motion made by Jellison, seconded by Weber, carried 4 Ayes, 1 Nay per Chris Magnuson. Zane-Williams was determined to be the lowest most responsive and responsible bidder based on the quality of material used for the banners, type of

bracket, and 4-year warranty. CEDIT funds will be used for the purchase. Installation will require a bucket truck and require an additional fee, unless the service is donated. The town might be able to recoup some of the cost, should the Albion S.T.A.R Team and Noble County Historical Society decide to contribute toward the cost of the banners.

4. Resolution No. 2017-10 – TIF Revenue

Council members voted to approve Resolution No. 2017-10, *A Resolution of the Albion Town Council Affirming the Albion Redevelopment Commission Resolution 2017-01 Determining the Need to Capture Incremental Assessed Valuation*. Motion made by Jellison, seconded by Shultz, carried 5 Ayes, 0 Nays. The deadline for the RDC to report TIF AV surplus or shortfall to the county auditor is June 14, 2017. Wynn reported he has already fulfilled this requirement and filed the RDC's Resolution with the Noble County Auditor, and with other taxing units as required by statute.

5. Approval of Cemetery Deed

Jellison motioned to approve the following cemetery deed, seconded by Shultz, carried 4 Ayes, 0 Nays. (Morr had temporarily left the room for a phone call when the vote was taken.) **Monte Bowman – Section K, Lot 312, South Pathway**

DEPARTMENT HEADS:

Park/Cemetery Depts – Casey Myers

Council acknowledged receipt of the department's monthly report. Myers reported he received several positive comments about having a port-a-john available during the Memorial Day Service at Rose Hill Cemetery. He would like to place one near the old storage building for approximately 6 months out of the year. RFQs to grind tree stumps will be going out to vendors soon. This year's Fireworks Display is scheduled for Monday, July 3, 2017 with a rain date of July 8, 2017. Myers would like someone to take over as Fireworks Committee chairperson so he may devote more time to park and cemetery maintenance. Calcium chloride has been applied to stone drives to help control dust. The Splash Pad is up and running, a new meter has been installed, and an extra computer screen is on standby should a problem arise. The location for the July 10, 2017 Albion Park Board meeting has been changed from the Albion Municipal Building to Hidden Diamonds Park. The Hidden Diamonds Drive paving project is nearing completion.

Street/Cemetery Depts – Brian Stimpson

Council acknowledged receipt of the department's monthly report. Stimpson reported a section of pavement on 7th Street failed and will be replaced by the contractor. Employees are scheduled to attend chain saw safety training. The new crack filler is slated for delivery during the first week in July. Magnuson thanked Stimpson, along with the parks, water/wastewater departments for their help in keeping the downtown cleaned up. She said she had to pick up less trash this year after the Chain O' Lakes Festival.

Water/Wastewater Depts – Terry Forker

Council acknowledged receipt of the department's monthly report. Forker reported work to complete a water main replacement on N Oak Street has started. Forker said it was very challenging to try and get water out of town fast enough recent heavy periods of rainfall. He said the town had a sanitary overflow during the third week in May. He noted wastewater needs to travel 2 miles from south of the railroad tracks to get to the sewer ponds. Weber commented on how nice the drives look at the sewer ponds. Millings from the town's current road reconstruction project were used to improve the stone drives. Forker is working with David Denman, IDEM to address ammonia limitations. Magnuson asked Forker about purchasing a port-a-john and using the Vactor truck to clean it out periodically. She said she thought it might be a more economical option than renting a portable toilet for use at the cemetery. Forker said he is very concerned about the chemicals used in port-a-johns and their impact on the wastewater ponds, and advised against it. Plans are to bid out the water main replacement project needed on East Hazel Street between 3rd and 5th Streets at the same time bidding is done for Community Crossings Grant projects. The town would be responsible for 100% of the water main replacement, but it could be done in conjunction with the Hazel Street road reconstruction project.

APPROVAL OF ACCOUNTS PAYABLE & PAYROLL VOUCHERS:

After discussion, Magnuson motioned to approve Payroll and Accounts Payable Vouchers as of May 25, 2017, June 8, 2017, and June 13, 2017 seconded by Jellison, 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 7:50 pm, seconded by Jellison, carried 5 Ayes, 0 Nays. The next regularly scheduled meeting is to be held on June 27, 2017 at the Albion Municipal Building, 211 East Park Drive, Albion, IN.

MAX C. WEBER, PRESIDENT

VICKI E. JELLISON, VICE-PRESIDENT

CHRISTINA K. MAGNUSON, MEMBER

JOHN D. MORR, MEMBER

DONALD J. SHULTZ, MEMBER

ATTEST: _____
CAROL A. SELBY, CLERK-TREASURER