

**Albion Town Council**  
**Tuesday, November 26, 2019, 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  
Don Shultz, Member  
Darold Smolinske, Member  
John Morr, Member

**OTHERS:** Carol A. Selby, Clerk-Treasurer  
Stefen Wynn, Town Manager  
Steve Clouse, Town Attorney  
Matt Getts, KPC Media  
Scott Cole, Police Dept  
John Urso, Fire Dept  
Matt Fought, Police Dept  
Mike Trevino, DLZ  
Sharon Leitch  
Doug Bonar  
Tena, Woenker  
Joyce Gage  
Marilyn Morr  
Leanna Jacobs  
Brad Ebey  
Chad Stayner, Albion Ale House  
Melba Moorhouse, Pizza Depot  
Gwen Odem  
Sally Steinbarger

**APPROVAL OF MINUTES:** Minutes from the executive meeting on November 19, 2019 were approved. Motion by Smolinske, seconded by Shultz, carried 5 Ayes, 0 Nays.

**ANNOUNCEMENTS:**

An Open House for departing Town Manager Stefen Wynn will be held at 5:00 pm prior to the meeting on December 10, 2019. Members of boards and commissions will be recognized for their service during the regular council meeting. Jellison introduced Tena Woenker, who will be replacing Stefen Wynn as Albion Town Manager beginning December 9, 2019. Woenker is the current Town Manager of Waterloo, and President

of the Indiana Municipal Manager’s Association. Wynn has accepted a position as City Manager for Neptune Beach, Florida. His last day is December 20, 2019. Jellison asked that 2020 committee assignments be placed on the December 10<sup>th</sup> agenda for consideration. The Albion STAR Team has several events including a parade scheduled for December 6, 2019, 4pm-8pm during this year’s “Christmas in the Village.” The Albion Rotary Club is sponsoring an Ugly Sweater 5k on December 7<sup>th</sup> beginning at 7am.

**OPEN DISCUSSION: NONE**

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

**1. Consideration of Façade Grants**

Council voted to approve a recommendation by the Albion Redevelopment Commission to approve the following Façade Grants. TIF #1 Funds are allocated for the grants.

**a. Façade Grant No. 2019-02 - Shellbey Properties - \$752.04**

Window replacement on south side, second-story of building located at 108 W. Main Street. Magnuson motioned to approve, seconded by Smolinske, carried 5 Ayes, 0 Nays.

**b. Façade Grant No. 2019-04 – Doug Bonar - \$3,358.38**

Replacement of 12 windows, material cost only, work will be completed by owner, and not reimbursed for labor. Location 111 W. Hazel Street. Shultz motioned to approve, seconded by Smolinske, carried 4 Ayes, 1 recusal per Magnuson who is selling the building to Bonar on contract.

**c. Facade Grant No. 2019-06 – Chad Stayner, Albion Ale House - \$10,000**

Outdoor deck and patio area located at 108 S Orange Street. Motion to approve the maximum grant allowable made by Morr, seconded by Shultz, carried 5 Ayes, 0 Nays.

**2. Concerns regarding pit bulls and cats - Joyce Gage**

Albion resident Joyce Gage was present to discuss an incident in which two of her neighbor’s dogs attacked and injured her, a pizza delivery boy, and Gage’s dog Teddy, who did not survive his injuries. The two dogs that initiated the attack, as well as prior attacks on Gage and another one of her dogs, were euthanized. Gage, and other neighborhood residents present at the meeting expressed concern because the neighbor has another pit bull puppy, along with another adult dog. They also reported several cats in the area. Town Marshal Scott Cole noted criminal charges are pending so he couldn’t discuss the entire case. He noted prior complaints were addressed, and he was in contact with the town’s attorney regarding the process. In response to questions about banning a particular breed of dog, Town Attorney Steve Clouse reported the trend is for local ordinances to be neutral in breed, and type of animal, rather than breed specific. The Town’s current ordinance already uses neutral terminology by using the more encompassing word “animals” as opposed to specifying certain species or breed of animal. While, Town ordinances allow for fines to be imposed, criminal charges are handled at the County level and carry a bigger stick. As in this situation, criminal charges are handled by the Noble County Prosecutor, and not overseen by the Albion Town Council. Clouse stressed to those in attendance, the importance of notifying the police department when animals are loose, otherwise, the police department doesn’t know. Council also indicated they would have Clouse

review the Town's ordinances regarding animals to see if updates are warranted, and then revisit the subject after the first of the year.

**3. Selection of Design Engineer for 2020 CCMG Projects**

Wynn provided a summary of the Qualifications Based Selection Process used by the Public Works Committee to score five engineering firms interested in designing the Town's 2020 Community Crossing Matching Grant Projects and Storm water Improvements. The firms were JPR, DLZ, Abonmarche, Triad, and Fleis & Vandenbrink. DLZ scored the highest. Mike Trevino, Principal, DLZ was present to give an overview of the company. The Public Works Committee will be working to negotiate a price for the work with DLZ, and hope to have an agreement ready for consideration at the December 10<sup>th</sup> meeting. If an agreed upon price cannot be reached, the Public Works Committee will begin negotiations with the next highest scored firm, JPR.

**4. Open Sealed Bids for 1994 Western Salt Spreader**

Council received one sealed bid for the salt spreader from Pulver Asphalt Paving in the amount of \$2,200. Council voted to approve the quote, motion made by Magnuson, seconded by Morr, carried 5 Ayes, 0 Nays. Pulver's will remove the salt spreader from the Town's truck.

**5. Residential Housing Impact Study – Jim Higgins, London Witte Group**

The Town has not received this information from LWG. As such, this item was tabled.

**6. Update on Filling General Laborer Position in Street Department**

Wynn reported one internal application was received for the full-time General Laborer Position in the Street Department. Council voted to approve the recommendation to hire John Urso for the position, motion made by Morr, seconded by Smolinske, carried 5 Ayes, 0 Nays. Urso has been an Albion firefighter for several years, and is currently filling a temporary vacancy in the street dept for an employee on leave. The change to the full-time position will be effective with the next pay period beginning December 1, 2019. The 2019 full-time pay rate is the same as the temporary position, \$18.04 per hour. The 2020 pay rate for the position is \$18.61 per hour without CDL, and \$19.61 per hour with CDL.

**7. Consideration of Quotes for the purchase of a 2020 3/4 Ton 4x4 Chevrolet Truck**

This item was tabled.

**8. Consideration of Street Superintendent Employment Agreement**

Wynn reported he thought this item was going to be tabled until December 10, 2019. Morr motioned to not renew the street superintendent agreement, and allow it to expire December 31, 2019. Shultz seconded the motion, carried 5 Ayes, 0 Nays.

**9. Consideration of 2020 Payroll Ordinance No. 2019-15 – 2<sup>nd</sup> Reading**

Council voted to approve a recommendation by the Salary & Benefits Committee for employee compensation for 2020 by adopting Ordinance No. 2019-15, *A Payroll Ordinance setting Annual Wages and Benefits for Town of Albion, Elected, Appointed and All Other Employees by Department for the 2020 Calendar Year* on its second reading as indicated below.

**Second Reading**

Magnuson caused Ordinance 2019-15, to be read for the second time by title only, and motioned for approval of the ordinance, seconded by Smolinske, carried 5 Ayes, 0 Nays.

**10. Approval of Rainy-Day Appropriation Reduction – Resolution No. 2019-17**

Council voted to approve Resolution No. 2019-17, A Resolution to Reduce Current Year Rainy Day Fund Appropriations in the amount of \$81,067.00. Motion made by Magnuson, seconded

by Morr, carried 5 Ayes, 0 Nays. Clerk-Treasurer Carol Selby said the reduction to this year's appropriations should serve to allow 2020 Rainy Day appropriations to remain intact.

**11. Elected Official Nepotism & Conflict of Interest Compliance Forms**

As required per HEA-1005 entitled Nepotism; Conflict of Interest (IC 36-1-20.2 and IC 36-1-21) all six of the town's elected officials (Vicki E. Jellison, Christina K. Magnuson, John D. Morr, Donald J. Shultz, Darold R. Smolinske, and Carol A. Selby) submitted written certification to the town council president that they have not violated the nepotism and conflict of interest policies identified in Resolution No. 2012-07. The forms will be retained in the Town Hall office for review by the State Board of Accounts.

**DEPARTMENT HEADS:**

**Fire Dept**

Assistant Fire Chief John Urso was filling in for Chief Amber who is on vacation. Council members said they appreciate the year-to-date information on the monthly reports. In response to questions regarding firefighter hours, Urso reported six hours or less is considered "inactive" status. Firefighters voted on 2020 officers at their last meeting. Council will consider ratifying new officers during the December 10<sup>th</sup> meeting. It was noted the Albion Chamber of Commerce donated new tables to the fire dept.

**Police Dept**

Council acknowledged receipt of the monthly report. Town Marshal Scott Cole reported former, retired Albion Police Officer Dennis White passed away on November 19, 2019. The Albion Police Dept will participate in a Memorial Service to be held at Sweet Church. Due to upcoming jury trials, some officers may incur overtime. The RDC will consider a request for TIF funds to help with costs to expand the police dept's evidence room. Assuming a favorable recommendation from the RDC, council will consider the request at their meeting on December 10, 2019. Website activity statistics are included in Cole's monthly report. One of the squad cars received approximately \$3,800 in damages due to backing into a pole. Cole plans to purchase (3) more body cameras. Sufficient funds are allocated in the police dept budget for the purchase.

**Town Manager**

Council acknowledged receipt of the monthly report. The Dept Head Meeting scheduled for December 4<sup>th</sup> has been changed to December 9<sup>th</sup> so incoming Town Manager Tena Woenker may participate. Kokosing was here today to work on the header pipe leak, however it is still leaking. Wessler has not yet approved the Invoices submitted by Kokosing due to the unfinished work. Wynn reported an issue regarding the entrance at the mobile home park along W. Hazel Street has been resolved. Other issues are expected to be addressed with finish work in Spring 2020. Council will consider a recommendation by the Plan Commission on December 10<sup>th</sup> to approve a new Ordinance. Wynn will provide council with an updated list on the status of pending projects. Wynn will post the street superintendent internally for 10 days as per policy.

**OTHER COMMENTS:**

Town Attorney Steve Clouse will swear in town officials at the next meeting on December 10<sup>th</sup>.

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

After discussion, Morr motioned to approve Accounts Payable Vouchers as of November 26, 2019, 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 7:47 pm, motion made by Morr, seconded by Smolinske, carried 5 Ayes, 0 Nays. The next regularly scheduled meeting is to be held on December 10, 2019 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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DAROLD R. SMOLINSKE, MEMBER

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