

Albion Town Council
Tuesday, March 23, 2021, 6:00 pm
TELECONFERENCE via GoToMeeting
(Meeting ID# 280137509)
Albion Municipal Building
211 East Park Drive, Albion, IN, 46701

AS A RESULT OF THE WORLD HEALTH ORGANIZATION'S DECLARATION OF A GLOBAL CORONAVIRUS PANDEMIC, (aka CoVid-19) AND AS AUTHORIZED PER STATE OF INDIANA GOVERNOR ERIC HOLCOMB, VIA EXECUTIVE ORDER NO. 20-09, DATED 3/23/2020, "RELATING TO THE CONTINUITY OF OPERATIONS OF GOVERNMENT, PAGE 2, ITEM 4 (A) "OPEN DOOR LAW," THE ALBION TOWN COUNCIL HELD THIS MEETING VIA ELECTRONIC COMMUNICATION. THE MEETING WAS HELD IN CONJUNCTION WITH GOVERNOR HOLCOMB'S EXECUTIVE ORDER NO. 20-08, DATED 3/23/2020, "DIRECTIVE FOR HOOSIERS TO STAY AT HOME," AND EXTENSIONS THEREOF.

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 (Present)
Don Shultz, Vice-President (Present)
Darold Smolinske, Member (Present)
John Morr, Member (Present)
Chris Magnuson, Member (Present)

OTHERS: Carol A. Selby, Clerk-Treasurer (Electronically)
Tena Woenker, Town Manager (Present)
Steve Clouse, Town Attorney (Present)
Matt Getts, KPC Media (Electronically)
Scott Cole, Police Dept (Present)
Bob Amber, Fire Chief (Present)
Lori Gagen, Albion S.T.A.R. Team (Present)
Philip LaBrash, DLZ Indiana LLC (Present)

APPROVAL OF MINUTES: Minutes from the regular meeting on March 9, 2021 were approved. Motion by Morr, seconded by Shultz, carried 5 Ayes, 0 Nays.

ANNOUNCEMENTS: NONE

OPEN DISCUSSION:

Councilmember John Morr asked a question posed on the Municipal Network listserv regarding wage compensation for employees related to CoVid. Woenker said the Town abides by CDC guidelines and adopted a Pandemic Leave Policy (adopted on March 24, 2020) that includes provisions for CoVid leave.

DEPARTMENT HEAD REPORTS:

Fire Dept – Fire Chief Bob Amber asked if there any questions on the dept's monthly report. Dry weather and high winds have contributed to several grass fires.

Police Dept - Council acknowledged receipt of the dept's monthly report. Town Marshal Scott Cole reported the lights in the police bay area are being replaced with LED lights in an effort to help conserve energy. Town employee Kevin Todd is working to complete the LED conversion.

Town Manager - Town Manager Tena Woenker gave a summary of her monthly report. She provided an update regarding proposed future development in the Village of White Oaks. Developer Keith Leatherman is having difficulty getting housing contractors to commit to the next phase of development. With the OCRA/Hometown Collaborative Initiative project complete (Alley Activation Project near Pizza Depot), the Albion S.T.A.R. Team is becoming involved with marketing it for events using the slogan, "Celebration Station."

OLD BUSINESS: NONE

NEW BUSINESS:

1. Consideration of Bids for Community Crossings Matching Grant Projects

Council acknowledged receipt of (4) four bids, and voted to approve a recommendation from the Public Works Committee to award the below listed CCMG Projects to the lowest most responsible and responsive bidder, Pulver Asphalt Paving, Inc for \$772,606.00. Motion made by Shultz, seconded by Morr, carried 5 Ayes, 0 Nays. Council also acknowledged receipt of the Contractor's Bid for Public Work – Form 96, and voted to approve and cause to sign, a Contract with Pulver Asphalt Paving, Inc, and Notice of Award to same. Motion by Magnuson, seconded by Shultz, carried 5 Ayes, 0 Nays. The bid includes the projects listed below.

Part #1 – Hazel Street Improvements	\$578,657.50
Part #2 – S Hickory Street Improvements	\$101,550.50
Part #3 – York Street Improvements	\$ 92,398.00
<u>Total (including alternates)</u>	<u>\$772,606.00</u>

Other bids included API Construction Corp. - \$817,300.00; Niblock Excavating, Inc. - \$913,915.20; Brooks Construction Company, Inc. - \$999,389.00.

2. Consideration of updated Façade Grant Application

The Façade Grant Committee met and made revisions to the Façade Grant Application. Revisions included updating eligible zoning designations, and requiring proof that at least three quotes were solicited for the work. The RDC reviewed the updated application at their March meeting. After discussion, Council voted to approve the updated application. Motion made by Morr, seconded by Smolinske, carried 5 Ayes, 0 Nays.

3. Contribution to Albion S.T.A.R. Team via Courthouse Square Preservation Society

Clerk-Treasurer Carol Selby reported she had not yet heard back from the State Board of Accounts as to whether or not the Courthouse Square Preservation Society/Albion S.T.A.R. Team would be required to report to SBOA regarding receipt of CEDIT funds from the Town. (Reference Gateway's Schedule of Financial Assistance to Non-Governmental Entities). Lori Gagen, Albion S.T.A.R. Team was present to answer questions regarding the group's mission, projects, and fundraising activities. Fundraising activities were cancelled last year due to the Pandemic. The request for financial assistance is being made to help with operational expenses, including new website design, mural repairs, and event expenses. After discussion, Council voted to award the requested amount of \$5,000 to the Courthouse Square Preservation Society earmarked for use by the Albion S.T.A.R. Team. **Motion made by Morr, seconded by Magnuson, carried 4 Ayes, 1 Abstention per Shultz, since he is a member of the Courthouse Square Preservation Society.** Because, the Albion S.T.A.R. Team is not currently set up as a 501(c)(3), but rather as an arm of the Noble County Courthouse Square Preservation Society, funds will be issued directly to the Noble County Courthouse Square Preservation Society. CEDIT funds will be used as allowed per IC 6-3.6-10-2(11).

4. Sidewalks Snow/Ice Removal - Ordinance 2021-05 – 2nd Reading

Council tabled this until the next meeting on April 13, 2021 to allow for the inclusion of “Commercial Office” zoning designations. Motion made by Magnuson, seconded by Shultz, carried 5 Ayes, 0 Nays.

5. Right-of-Way Acquisition on E Hazel Street – Resolution No. 2021-06

This item was tabled pending further research on the process needed in reference to upcoming Community Crossings Matching Grant Project(s).

6. Request for Waiver of Setback Line, Jared & Rachel Wilson – Steven Clouse

Town Attorney Steve Clouse presented council with a document prepared by Attorney Stephen Snyder on behalf of Jared & Rachel Wilson. The Wilson’s placed a residence 34.51 feet from the south sideline of Lot 1 in Locust Grove Estates. The Plat indicates a setback line of 40 feet, and incorrectly implies the Town has jurisdiction in this area which is outside of town limits. Clouse reported the Town has no jurisdiction in this area, and even if it did, the Town only requires a setback of 30 feet, and does not enforce subdivision covenants. However, since the Plat names the Town, and to assist the Wilson’s in avoiding potential problems regarding the proximity of their home to the setback, Council voted to approve a “Waiver of Setback Line in the Plat of First Addition to Locust Grove Estates, Reference: Instrument Number 990200092”. Motion made by Shultz, seconded by Morr, carried 5 Ayes, 0 Nays.

7. Approval of Annual Software, License Updates & Maintenance Agreement

Council voted to approve the annual software license renewal and agreement from Boyce Systems for Key-Billing, Key-Assets, and Key-Device (meter reading) in the amount of \$3,592. Motion made by Smolinske, seconded by Magnuson, carried 5 Ayes, 0 Nays. The fee includes technical support for utility billing, capital asset, and meter reading software. Because the migration from Komputrol Software to Keystone was done in phases last year, the annual agreements are being prorated. Beginning next year, the Town should be billed for all modules at the same time. General, Water, and Wastewater funds are allocated to cover these costs.

8. Outstanding Warrants & Delinquent Customer Accounts

In accordance with IC 5-11-10.5, Council voted to approve receipting outstanding checks in the total amount of \$136.81 back into the funds from which they were originally drawn (General Fund = \$53.49; Water Fund = \$66.06; Sewer Fund = \$17.26), and approved Cancellation of Debt from delinquent water/wastewater accounts in the amount of \$532.12. Motion by Magnuson, seconded by Smolinske, carried 5 Ayes, 0 Nays. The delinquent water/wastewater accounts will be turned over to a collection agency.

APPROVAL OF ACCOUNTS PAYABLE & PAYROLL VOUCHERS: Smolinske motioned to approve Accounts Payable and Payroll Vouchers as of March 11, 2021 and March 23, 2021. Shultz seconded, carried 5 Ayes, 0 Nays, attested by Carol A. Selby.

ADJOURNMENT: There being no further business to be brought before council in regular session, the meeting adjourned at 7:14 pm. Motion by Magnuson, seconded by Smolinske, carried 5 Ayes, 0 Nays. The next regularly scheduled meeting is to be held on April 13, 2021 at 6:00 pm, at the Albion Municipal Building, 211 East Park Drive, Albion, IN. Should the Town continue to be under a public emergency, the option to join the meeting electronically will be available.

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