

**Albion Town Council**  
**Meeting Minutes**  
**Tuesday, October 25, 2022, 6:00 pm**  
**Albion Municipal Building**  
**211 East Park Drive, Albion, IN, 46701**  
**Teleconference via GoToMeeting**  
**(Meeting ID# 280137509)**

**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  
John Morr, Member  
Darold Smolinske, Member  
Zane Gray, Member

**OTHERS PRESENT:**

Carol A. Selby, Clerk-Treasurer  
Jacob Ihrie, Town Manager  
J. Darrick Brinkerhoff, Attorney  
Matt Getts, KPC Media  
Scott Cole, Police Dept

Terry Forker, Water/Wastewater Depts  
Casey Myers, Park Cemetery Depts  
Lori Gagen, Albion STAR Team, RDC  
John Urso, Fire Dept  
Joshua & Arian Gunder & Family

**APPROVAL OF MINUTES:** Minutes from the regular meeting on October 11, 2022 were approved. Motion by Shultz, seconded by Morr, carried 5 Ayes, 0 Nays.

**ANNOUNCEMENTS:**

**Upcoming Events:**

- Albion STAR Team “Scare on the Square” – October 28, 2022, 5:30-7:30pm
- Halloween “Trick or Treating” – October 31, 2022, 5-7pm
- Albion Chamber of Commerce Halloween Party – October 31, 2022, 7-8:30pm

**OPEN DISCUSSION: NONE**

**DEPARTMENT HEAD REPORTS:**

**Fire Dept** – Council acknowledged receipt of the monthly report. Deputy Fire Chief John Urso was present to provide a summary of departmental activities and answer questions. Council voted to approve the bi-annual fire pay and car & clothing allowances in the total amount of \$11,969.93 to be paid with the November 17, 2022 payroll. Motion made by Morr, seconded by Smolinske, carried 5 Ayes, 0 Nays.

**Police Dept** - Council acknowledged receipt of the monthly report. The police department will retain Verizon Wireless for cell phone service for now and change to AT&T (First Net) for cradle point (Internet) coverage in squad vehicles. Cole said with the cost comparison between the two providers is relatively the same. First Net is a government dedicated First Responder Network, and the Town has the option of changing for cell phone service to AT&T (First Net) for departments qualifying as First Responders. For now, Cole indicated utilizing the services of both providers offers the best coverage and incident priority. One sealed bid was received and opened for the 2012 Dodge Ram Police truck. The bid was from Marcus Eash in the amount of

\$10,642, which is higher than the reserve amount of \$10,000. Council voted to accept the bid, Morr motioned, Shultz seconded, carried 5 Ayes, 0 Nays. Town Marshal Scott Cole will contact the bidder and coordinate payment and title paperwork with the clerk-treasurer's office.

**Town Manager** - Council acknowledged receipt of the monthly report. Town Manager Jacob Ihrle reported applications for another round of Community Crossings Matching Grant (CCMG) funds will be accepted by INDOT beginning January, 2023. Council authorized Ihrle to obtain a quote from the Town's on-call engineer, VS Engineering, for design engineering services for proposed CCMG projects. Council will consider the quote at the November 8, 2022 council meeting.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

**1. Approval of Special Event Application – The Strand – Ladies Night – Nov 11th**

Alice Baxter, was present electronically to provide information on a Special Event Application to hold a "Ladies Night at The Strand" on November 11, 2022. The Strand provides salon and tanning services, and hosted the first-time event last year, inviting other vendors to participate. The required Certificate of Insurance and signed Indemnification was received. An alcohol permit is pending, and subject to approval by the Town Marshal. After discussion, Gray motioned to approve the Application on the condition Baxter coordinates the blocking off of parking spaces for vendors, with the El Mariachi restaurant, seconded by Shultz, carried 5 Ayes, 0 Nays.

**2. Consideration of RDC Recommendations:**

Council took the following action regarding recommendations made by the Redevelopment Commission (RDC).

**a. Joshua & Arian Gunder, J and A Leasing LLC – 108 E Main - \$3,630.37**

After lengthy discussion, Council voted to approve a Façade Grant in the amount of \$3,630.37 for materials to construct stairs and a 6' x 50' Deck for upstairs apartments located above the retail building. Motion to approve made by Gray, seconded by Smolinske, carried 3 Ayes, 2 Nays. (TIF #1 Funds are appropriated for the grant Appropriation No. 4445-100-530-000.) The Gunder's are performing the work themselves, and therefore are not eligible for reimbursement for labor. Their request was for costs for materials. Joshua Gunder reported the plans have been reviewed by the Noble County Building Inspector, and will require a building permit. Morr and Shultz voted against the RDC's recommendation citing language in the Façade Grant Application/Policy specifying quotes be submitted from Independent Contractors, and lack of language regarding property owners performing the work themselves. Their concern regarded liability should an issue arise as a result of the workmanship. Town Attorney J. Darrick Brinkerhoff indicated the insurance on the building should cover those types of situations. It was noted the RDC and Council approved a prior Façade Grant for Doug Bonar, whom performed the work himself on his building on West Hazel Street. The RDC is in the process of amending the Façade Grant Policy to better clarify these situations. Council will be given the opportunity to review and approve the proposed changes.

**b. Fence for Pocket Park located at old Town Hall, 110 S Orange - \$2,460.00**

Lori Gagen, representing Be Noble, and Albion STAR Team was present to provide information on the request for funding for new fencing to be located near the pocket park at 110 S Orange Street. The property is owned by the Town (old Town Hall location).

The proposed white vinyl fence will replace a section of chain link fence and help define the pocket park area. Three quotes for the work were submitted. After discussion, Council voted to approve reimbursing the Albion STAR Team \$2,460 (the lowest quote) for the cost of the fence. Motion by Shultz, seconded by Gray, carried 5 Ayes, 0 Nays.

**c. Façade Grant Policy Updates** – RDC members are still working on updates. Council will receive a copy of the proposed amendments for consideration.

**3. Consideration of Quotes for new Tractor – Casey Myers, Park/Cemetery Depts**

Council voted to approve a request by Superintendent Casey Myers and recommendation by the Albion Park Board to trade in the department's 2015 Kubota MX 5200DT Tractor for a new Kubota MX 5400 Tractor HSTC w/Cab from the lowest quoter, More Kubota, Columbia City for the net amount of \$16,859.37. (Purchase price is \$46,740.79 less trade-in valued at \$27,000 and cash incentives valued at \$2,881.42). Motion by Gray, seconded by Shultz, carried 5 Ayes, 0 Nays. A basic standard and limited powertrain warranty is included with the purchase. CEDIT (Appropriation No. 2209 100 430 000) and Park (Appropriation No. 2204 100 530 000) Funds are allocated for the purchase.

**4. Introduction of Ordinances No. 2022-12 & 2022-13 – URT Repeal & Tap Fees – 1<sup>st</sup>**

**Readings** – Clerk-Treasurer Carol Selby explained the proposed Ordinances address the Utility Receipts Tax (URT) Repeal, which serves to reduce water rates, and increases Tap & Boring Fees charged by the Town for connection to the Town's Water & Wastewater systems. She explained legislation was passed earlier this year that repealed the URT. Because of this, the Town hired Peters Franklin LTD to conduct an analysis and factor out the URT from the Town's water rates. (The URT does not pertain to sewer rates.) At this time, the Town also reviewed Tap & Boring fees for both Water and Sewer Utilities, which were not high enough to recoup actual costs. The report from Peters Franklin LTD, while factoring out approximately 1.4% for the elimination of the URT, also included annual expected cost increases at 5%. This results in an overall reduction in water rates of 0.91%. Sewer rates remain the same, except for Tap & Boring fees which are increasing from \$981 to \$1800 plus actual costs for boring (if additional boring is needed). As per Statutes, tonight's meeting serves to introduce the Ordinances in a public meeting, and consider them on first reading. A public notice is scheduled for publication in the Kendallville News-Sun and Albion New Era on October 26, 2022 for the public hearing and second reading/final adoption scheduled for November 8, 2022. As required by statute, notice was also mailed to owners of vacant or unimproved property, and to utility users located outside the corporate boundaries. After discussion, Council voted to approve both Ordinances on first reading as indicated below.

**First Reading – Ordinances No. 2022-12 & 2022-13**

Shultz caused Ordinance 2022-12 and 2017-13 to be read for the first time by title only.

**Ordinance No. 2022-12**, *An Ordinance Amending and Replacing Ordinance No. 2017-13 for the Purpose of Adopting a New Schedule of Rates and Charges to Reflect the Repeal of the Indiana Utility Receipts Tax and Amend Charges for Tapping & Boring Services Rendered by the Water Utility of the Town of Albion and* **Ordinance No. 2022-13**, *An Ordinance Amending Section (D) of Ordinance 2017-12, for Tapping & Boring Fees Rendered by the Sewer Utility of the Town of Albion.* Shultz made a motion for approval of Ordinances 2022-12 & 2022-13 as read, seconded by Jellison, carried 5 Ayes, 0 Nays. A public hearing, second reading, and final adoption are scheduled for the November 8, 2022 council meeting.

**5. Approval of Cemetery Deeds/Transfers**

Council voted to approve the following Cemetery Deeds. Motion by Shultz, seconded by Morr, carried 5 Ayes, 0 Nays.

**Henry & Kendra Hagerman – Section M, Lot 50, Grave 4**

**Henry & Kendra Hagerman – Section M, Lot 50, Grave 3**

**OTHER COMMENTS:**

Park/Cemetery Superintendent Casey Myers recommended reconvening the Cemetery Committee next year to discuss the possibility of installing columbarium(s) at Rose Hill Cemetery.

**APPROVAL OF ACCOUNTS PAYABLE & PAYROLL VOUCHERS:** Gray motioned to approve Accounts Payable & Payroll Vouchers as of Oct 20, & Oct 25, 2022. 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 7:06 pm. Motion by Smolinske, seconded by Morr, carried 5 Ayes, 0 Nays. The next regularly scheduled meeting is to be held on November 8, 2022 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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JOHN D. MORR, MEMBER

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DONALD J. SHULTZ, VICE-PRESIDENT

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DAROLD R. SMOLINSKE, MEMBER

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ZANE M. GRAY, MEMBER

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